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N.B.—THIS INDEX SHOULD NOT BE SENT FOR BINDING

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HOW TO USE THIS INDEX

This Index, used with the Red Indexes for 1951–60, 1961–70, 1971–80, 1981–90 and 1991–97, will enable you to find any reported case determined since 1951 according to its title or subject matter. The appropriate headings and sub-headings of subject matter under which to look will be found in the Red Indexes. To find a recent case you have then only to look under the same heading and sub-headings in this Index and if necessary in subsequent parts of W.L.R.

Further, this Index contains also, *after* the index of Subject Matter, similar cumulative indexes of Cases, Statutes, Statutory Instruments and Overseas and European Community Enactments Judicially Considered which will likewise be brought up to date weekly in W.L.R.

Thus if in any report in [1998] W.L.R. a judge has said anything which might be argued to affect the weight or effect of any previous decision, or the meaning of any enactment, a reference will be found in the appropriate table to the previous decision or enactment. **The Table of Cases Judicially Considered is not limited to decisions mentioned in the headnote of the reports.**

This Index includes cases reported in Industrial Cases Reports, All England Law Reports, Criminal Appeal Reports, Lloyd's Law Reports, Local Government Reports, Road Traffic Reports, Tax Cases and Tax Case Leaflets.

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PRIVY COUNCIL

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REVENUE

Capital gains tax

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Appeal—Agreement to resolve appeal—Purported amended notice of assessment, erroneously stating chargeable gains at nil—Taxpayer not responding—Whether appeal resolved by agreement—Taxes Management Act 1970, s. 54

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Business Expansion Scheme relief for income tax given on shares acquired before 19 March 1986—Whether amounts of relief to be taken into account for capital gains tax purposes when shares later sold at loss—Capital Gains Tax Act 1979, s. 149C(3)—Finance Act 1982, ss. 86, 87—Taxation of Chargeable Gains Act 1992, ss. 53, 54, 150(3)

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Exemptions

Groups of companies—Disposal of assets within group—Subsequent charge when company leaving group—Asset transferred to principal company of group—Principal company leaving group on cessation of U.K. residence—Whether charge to tax capable of applying—Whether exemption for associated companies leaving group applicable—Income and Corporation Taxes Act 1970, ss. 272, 273, 278

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Private residence

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Advance corporation tax

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First-year allowances—Restriction of allowances—Exception for expenditure under contract made before 13 March 1984—Whether privatisation scheme having effect that transferee to be treated as purchaser under contracts entered into by transferor before 13 March 1984—Ordnance Factories and Military Services Act 1984, ss. 1, 2, 3, Sch. 1—Finance Act 1984, s. 58, Sch. 12, para. 2 **Jukes v. S. G. Warburg & Co. Ltd.,** C.A. (1997) 70 T.C. 300

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Charges on income—Loan interest—Credit for foreign tax on foreign dividend—Payments made wholly and exclusively for purposes of trade—Allocation of charges by holding company—Allocation of charges on income to greater extent than amounts of profits against which charges allocated—Whether interest paid wholly and exclusively for purposes of holding company's trade—Income and Corporation Taxes Act 1988, ss. 393(9), 797(3)(*a*)
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Life assurance business—Profits assessed on income minus expenses basis—Trading loss computed under Schedule D, Case I for same accounting period allowable—Whether management expenses deducted in computing trading loss also deductible in computation on I–E basis—Finance Act 1987, s. 41—Income and Corporation Taxes Act 1988, ss. 75, 76—Finance (No. 2) Act 1992, s. 65
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Corporation tax—*continued*

Rate of tax charge

Associated companies carrying on business—Associated company not trading, but earning interest on bank deposit—Whether associated company carrrying on business, so that benefit of lower rate of tax chargeable on taxpayer company restricted—Income and Corporation Taxes Act 1988, s. 13

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Customs and excise

Duty chargeable

Tobacco products ordered by United Kingdom residents for private use—Products purchased in Luxembourg and imported into United Kingdom by agent on behalf of individuals—Whether chargeable to United Kingdom excise duty—Council Directive (92/12/E.E.C.) (as amended), arts. 6, 8

Reg. v. Customs and Excise Comrs., *Ex parte* **EMU Tabac S.à.r.l. (Case C-296/95),** E.C.J. [1998] Q.B. 791; [1998] 3 W.L.R. 298

Income tax

Assessment

Assessments out of time—Capital statements showing unexplained income—Taxpayer's explanation, relying on loans, not wholly accepted by commissioners—Whether taxpayer discharging burden to displace in-date assessments—Whether revenue discharging burden to justify out of time assessments—Taxes Management Act 1970, ss. 36, 50

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National & Provincial Building Society v. United Kingdom, E.C.H.R. (1997) 69 T.C. 540

Double taxation relief

U.K. German company silent partnership with wholly-owned German company in relation to dividends paid by German company's trading subsidiaries—Whether relief available for German trade tax paid by trading subsidiaries—Whether source of U.K. company's income partnership arrangement or dividends—Whether that income dividend income—Income and Corporation Taxes Act 1988, ss. 788, 790, 801—Double Taxation Relief (Tax on Income) (Federal Republic of Germany) Order 1967—Double Taxation Relief (Taxes on Income) (Federal Republic of Germany) Order 1971

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Interest on money

Interest on money used for purposes of trade—Paid by two individuals on moneys advanced to their Scottish partnership—Partnership itself partner in second Scottish partnership—Moneys used in relation to trade carried on by second partnership—Whether individuals entitled to deduction in respect of interest—Whether moneys used wholly for purposes of trade carried on by first partnership—Income and Corporation Taxes Act 1988, ss. 353, 362(1)

Major v. Brodie, Park J. (1998) T.C. Leaflet No. 3551

Life assurance premium

Relief given at source and life office recovering deficiencies from revenue—Some policies not eligible for relief—Whether overpayments recoverable by revenue even where no assessments made for that purpose—Taxes Management Act 1970, ss. 29, 30—Income and Corporation Taxes Act 1988, s. 266, Sch. 14, para. 7—Income Tax (Life Assurance Premium Relief) Regulations 1978, regs. 7, 9, 10

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Income tax—*continued*

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Weekly payments due to child—Payments made to mother having care and control of child—Whether deductible as qualifying maintenance payments—Income and Corporation Taxes Act 1988, s. 347B(1) **Billingham v. John,** Rimer J. (1997) 70 T.C. 380

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Lease

Calculation of consideration—Lease providing for application of formula on date later than date of execution of lease—Whether amount of consideration ascertainable as at date of execution—Whether ad valorem duty chargeable—Stamp Act 1891, Sch. 1
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Tax avoidance

Transfer of assets abroad

Settlement under which taxpayer excluded from benefit—Trustees' power to transfer trust fund to another trust—Whether taxpayer having interest under transferee trust and thus power to enjoy income of transferor trust—Whether preparatory memorandum showing drafter's intention admissible for purposes of construing settlement provisions—Income and Corporation Taxes Act 1970, s. 478—Income and Corporation Taxes Act 1988, s. 739
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Value added tax

Invoice

Credit note issued by recipient of goods or services—Credit note overstating VAT due—Supplier not contesting amount of VAT—Whether credit note capable of being regarded as document serving as invoice—Whether supplier liable for amount of VAT shown—Council Directive (77/388/E.E.C.), arts. 21(1)(c), 22(3)(c)
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Supply of goods and services

Professional organisation licensing members to conduct investment business—Licences and certificates granted under statutory authority for fee—Whether supplied in course or furtherance of business—Whether VAT chargeable on fee—Value Added Tax Act 1994, s. 4(1)—Council Directive (77/388/E.E.C.), art. 4(1)(2)
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Provision of free transport for employees from home to workplace—Whether taxable transaction—Whether supply of services effected for consideration—Whether for purposes other than those of business—Council Directive (77/388/E.E.C.), arts. 2(1), 6(2)
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Society providing campaigning, lobbying and public relations services to subscribing members—Whether providing "facility or advantage"—Whether provided in course of business—Value Added Tax Act 1983, s. 47(2)(*a*)(3)
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Time of supply—Group of companies for value added tax purposes—Member of group agreeing to supply goods to another member—Part-payment for goods before delivery—Supplier leaving group after part-payment but before delivery—Whether extent of supply covered by part-payment to be disregarded—Whether exempt from value added tax—Value Added Tax Act 1983, ss. 5(1), 29(1)
Customs and Excise Comrs. v. Thorn Materials Supply Ltd., H.L.(E.) [1998] 1 W.L.R. 1106

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Value added tax—*continued*

Supply of goods and services—*continued*

Unlawful transactions—Whether VAT payable on supply of counterfeit perfume products—Whether unlawful games of chance within scope of Community Directive—Whether exemption restricted to lawful games of chance—Council Directive (77/388/E.E.C.), arts. 2, 13(B)(f) **Reg. v. Goodwin (Case C-3/97),** E.C.J. [1998] Q.B. 883; [1998] 3 W.L.R. 565

ROAD TRAFFIC

Blood specimen

Analyst's certificate

Motorist exercising option to provide blood specimen—Specimen analysed by authorised analyst signing certificate as to proportion of alcohol—Certificate sent to motorist charged before hearing—Document proving service of certificate not signed—Motorist contending certificate itself inadmissible—Whether certificate delivered on time but with no formal proof of service admissible—Road Traffic Offenders Act 1988, s. 16(1)(3)(4)
Louis v. Director of Public Prosecutions, D.C. [1998] R.T.R. 354

Failure to provide specimen

Doctor in charge of motorist as patient in hospital not consenting to requirement of breath specimen for analysis—Constable requiring blood specimen—Omission to ask motorist whether any reason why blood specimen not to be taken—Whether fair and reasonable requirement in statutory context—Whether conviction to be quashed—Road Traffic Act 1988, s. 7 **Beaufont v. Director of Public Prosecutions (Note),** D.C. [1998] R.T.R. 175

Police officer informing motorist that only medical reason giving right to object to specimen being taken by doctor—Failure to ask expressly for medical reasons—Failure to ask if any non-medical reasons preventing blood specimen being taken by doctor—Whether grounds for acquittal—Whether fear of needles potential medical reason for failing to provide specimen—Road Traffic Act 1988, ss. 7(3), 8(2)
Director of Public Prosecutions v. Jackson, H.L.(E.) [1998] 3 W.L.R. 514

Requirement

Breath specimen not provided by motorist pleading guilty to failing to provide blood—Claim of plea being equivocal—Whether Crown Court having jurisdiction to order rehearing—Whether plea equivocal—Magistrates' Courts Act 1980, s. 108—Supreme Court Act 1981, s. 48—Road Traffic Act 1989, s. 7(6)
Ankrah v. Director of Public Prosecutions (Note), D.C. [1998] R.T.R. 169

Breath testing device not working—Constable requiring provision of blood or urine specimen for analysis—Motorist's refusal—No information given to motorist of doctor taking blood—Acquittal of motorist on charge of not providing specimen—Whether constable, only after decision to require blood specimen, required to ask motorist for reasons why specimen not to be taken—Road Traffic Act 1988, ss. 7(3)(4)(6), 11(4)—Road Traffic Act 1991, s. 42, Sch. 4, para. 42
Director of Public Prosecutions v. Donnelly, D.C. [1998] R.T.R. 188

Motorist injured in road accident sent to hospital before roadside screening test—Request lawfully made to provide blood specimen for analysis—Consent by motorist but discharge from hospital before compliance—Immediate arrest of motorist for earlier failure to submit to screening test—Blood specimen provided at police station—Whether lawful request for blood specimen from patient remaining valid once patient discharged—Road Traffic Act 1988, ss. 6(1)(5)(*b*), 7(1)(2)(3)(*b*), 9(1)(*b*)
Webber v. Director of Public Prosecutions (Note), D.C. [1998] R.T.R. 111

Motorist suspected of driving while unfit through drugs—Refusal to provide specimen of blood for analysis due to dislike of needles—Constable stating that only right to object to giving blood or urine instead to be for medical reason to be determined by doctor—Whether compliance with formulaic requirement—Whether conviction to be quashed—Road Traffic Act 1988 (as amended), s. 7(1)(3)(4)(6)(7)
Jackson v. Director of Public Prosecutions, D.C. [1998] R.T.R. 141

Breath specimen for analysis

Failure to provide specimen

Kind of specimen—Conflict between charge and conviction in records of magistrates' court—Duty of Crown Court on appeal against conviction—Whether to examine all available relevant information—Whether entitled to accept prosecutor's version of events—Road Traffic Act 1988, s. 7(6)—Magistrates' Courts Rules 1981, r. 68
Gill v. Director of Public Prosecutions (Note), D.C. [1998] R.T.R. 166

ROAD TRAFFIC—*continued*

Breath specimen for analysis—*continued*

Lion Intoximeter 3000

Device programmed to compensate for presence of acetone by reducing reading for alcohol—Printout showing alcohol level above prescribed limit—Whether programming improper use—Whether printout admissible

Ashton v. Director of Public Prosecutions, D.C. [1998] R.T.R. 45

Right to provide blood or urine

Analysis revealing alcohol above permitted limit but not exceeding 50 microgrammes in 100 millilitres of breath—Motorist offering urine—Refusal to provide blood because of fear of needles—Whether amounting to medical reason—Whether for determination by police officer or only for medical practitioner—Whether mandamus to order justices to state case—Whether certiorari to quash conviction preferable—Road Traffic Act 1988, ss. 7(4), 8(2) **Reg. v. Epping Justices,** *Ex parte* **Quy (Note),** D.C. [1998] R.T.R. 158

Sufficiency

Motorist required to provide roadside breath specimen on Alcolmeter—Light "A" illuminated but not light "B"—Police officer not presssing "Read" button—"Read" button with only "A" illuminated resulting in reliable positive or possibly false negative result—Whether motorist failing to provide specimen of breath for breath test—Whether specimen "sufficient to enable ... test ... to be carried out"—Whether specimen enabling "objective of ... test ... to be satisfactorily achieved"—Road Traffic Act 1988, ss. 6(5)(*a*)(*b*), 11(3)(*a*)(*b*)

Director of Public Prosecutions v. Heywood, D.C. [1998] R.T.R. 1

Careless driving

Necessity as defence

Defendant charged with dangerous driving—Statutory alternative of careless driving—Whether defence of necessity available **Reg. v. Backshall,** C.A. [1998] 1 W.L.R. 1506

Disqualification

"Special reasons"

Defendant at home consuming alcohol with friends—Daughter informing defendant that another daughter having been assaulted was in danger—No mention to friends of news—Driving 400 metres to house where daughter being held—No thought to other method of transport or going on foot—Whether emergency—Whether "special reasons" —Whether justices applying correct test in addressing special reasons

Director of Public Prosecutions v. Bristow, D.C. [1998] R.T.R. 100

Driver, identity of

Proof

Registration number of Nissan Primera car noted by witness and conveyed orally to police officer—Admission by defendant that Nissan Primera car hired to him but denial of incident involving dangerous driving—Neither officer nor witness stating number in evidence—Whether evidential link between car and number and driver missing—Whether motorist's conviction of dangerous driving sustainable

Ahmed v. Director of Public Prosecutions, D.C. [1998] R.T.R. 90

Goods vehicle

Operators' licence

Sub-contractors laying cables for roadside telephones and cameras—Obligation to provide emergency call-out service—Vehicle returning equipment from site to secure premises—Whether vehicle exempt—Whether vehicle "held ready for use in an emergency"—Whether held by sub-contractors as undertaking for supply of telephone services—Transport Act 1968, s. 60(1)(*b*)(2)(*b*)—Goods Vehicles (Operators' Licences, Qualifications and Fees) Regulations 1984, reg. 34, Sch. 5, para. 27

Vehicle Inspectorate v. T. D. & C. Kelly Ltd., D.C. [1998] R.T.R. 297

Purposes for which constructed

Vehicle constructed with compartments for components of concrete—Whether licence tax chargeable at basic rate of duty—Whether "engineering plant"—Whether vehicle for conveying machines—Vehicle Excise and Registration Act 1994, s. 62(1), Sch. 1, Pt. VIII, para. 14—Goods Vehicles (Plating and Testing) Regulations 1988, reg. 3, Sch. 2, para. 4

Director of Public Prosecutions v. Anderson (trading as Spotmix RMC), D.C. [1998] R.T.R. 16

ROAD TRAFFIC—*continued*

Goods vehicle—*continued*

Tachograph records

Driver using vehicle to get home at end of working day—Whether part of "daily working period"—Whether to be recorded on record sheet—Transport Act 1968, s. 97(1)(*a*)(iii)—Council Regulation (E.E.C.) No. 3821/85, art. 15—Council Regulation (E.E.C.) No. 3820/85, art. 4(12)

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Boy on bicycle in collision with car, suffering severe injuries—No contributory negligence—Car driver mature and responsible man driving carefully—No evidence of negligence—Action based on negligence—Whether automatic compensation irrespective of fault—Whether failure inevitable of action based on negligence

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Wilson v. Housing Corpn., Dyson J. [1998] I.C.R. 151

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Alleyne-Forte v. Attorney-General of Trinidad and Tobago, P.C. [1998] 1 W.L.R. 68

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In re **Scientific Investment Pension Plan Trusts,** Rattee J. [1998] 3 W.L.R. 1191

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Retirement of member prior to winding up of pension scheme but before payment of pension commencing—Member informed funding sufficient to pay 63 per cent. of entitlement but later finding sufficient to pay 83 per cent.—Complaint to Pensions Ombudsman—Whether member claiming 100 per cent. of pension entitlement—Whether complaint having any substance **Seifert v. Pensions Ombudsman,** C.A. [1997] 4 All E.R. 947

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Husband obtaining funds from bank to purchase property jointly with wife and to clear personal debts—Loan secured by way of charge over property—Bank seeking to enforce charge—Whether charge to be set aside as against wife for undue influence—Whether transaction manifestly disadvantageous to wife—Whether wife entitled to have charge set aside unconditionally **Dunbar Bank Plc. v. Nadeem,** C.A. [1998] 3 All E.R. 876

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Barclays Bank Plc. v. Thomson, C.A. [1997] 4 All E.R. 816

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WORDS AND PHRASES
"*Accused*"—Extradition Act 1989, s. 1 *In re* **Ismail,** H.L.(E.) [1998] 3 W.L.R. 495
"*Act complained of . . . done*"—Sex Discrimination Act 1975, s. 76(1)
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"*Action to recover . . . sum recoverable by virtue of . . . enactment*"—Limitation Act 1980, s. 9(1)
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"*Action . . . upon . . . judgment*"—Limitation Act 1980, s. 24(1)
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"*Additional damages*"—Copyright, Designs and Patents Act 1988, s. 97(2)
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"*Agreement or arrangement*"—Vienna Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988, art. 17(4) **Reg. v. Dean,** C.A. [1998] 2 Cr.App.R. 171
"*Benefit or advantage*"—Gaming Act 1968, s. 34(3)
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"*By reason of redundancy*"—Employment Rights Act 1996, s. 139(1)
Church v. West Lancashire N.H.S. Trust, E.A.T. [1998] I.C.R. 423
"*Certified accountants*"—Company name
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"*Charity proceedings*"—Charities Act 1993, s. 33 *Ex parte* **Scott,** Tucker J. [1998] 1 W.L.R. 226

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"*Common duty of care*"—Occupiers' Liability Act 1957, s. 2(1)
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"*Common duty of care*"—Unfair Contract Terms Act 1977, s. 1(1)(*c*)
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"*Contract personally to execute any work*"—Fair Employment (Northern Ireland) Act 1976, s. 57(1)
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"*Contract personally to execute any work*"—Race Relations Act 1976, s. 78(1)
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"*Controlled*"—Companies Act 1981, Sch. 3, Pt. 1, para. 1(1) (Bermuda)
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"*Court*"—Contempt of Court Act 1981, s. 19
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"*Daily working period*"—Council Regulation (E.E.C.) No. 3821/85, art. 15(2)
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"*Dangerous nature*"—Hague Rules, art. IV, r. 6
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"*Decision*"—Industrial Tribunals (Rules of Procedure) Regulations 1985, reg. 2, Sch., r. 12(2)(*d*)
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"*Directly attributable*"—Criminal Injuries Compensation Scheme 1964, para. 4
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"*Disposition*"—Matrimonial Causes Act 1973, s. 37(2)(*b*)
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"*Dispute*"—Arbitration agreement
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"*Disqualification, disability, prohibition or other penalty*"—Rehabilitation of Offenders Act, 1974, s. 5(8) **Power v. Provincial Insurance Plc.,** C.A. [1998] R.T.R. 60

"*Document*"—Criminal Justice Act 1988, s. 23(1) **Reg. v. Duffy,** C.A. [1998] 3 W.L.R. 1060

"*Economic ... reason entailing changes in the workforce*"—Transfer of Undertakings (Protection of Employment) Regulations 1981, reg. 8(2) **Warner v. Adnet Ltd.,** C.A. [1998] I.C.R. 1056

"*Employed*"—Race Relations Act 1976, s. 7(1)
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"*Employee*"—Employment Ordinance, s. 4 (Hong Kong)
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"*Employee*"—Employment Protection (Consolidation) Act 1978, s. 153(1)
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"*Employee*"—Employment Rights Act 1996, s. 230(1)
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"*Engineering plant*"—Goods Vehicles (Plating and Testing) Regulations 1988, Sch. 2, para. 4
Director of Public Prosecutions v. Anderson (trading as Spotmix RMC), D.C. [1998] R.T.R. 16

"*Ex factory*"—Policy
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"*Extending over a period*"—Sex Discrimination Act 1975, s. 76(6)(*b*)
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"*Facility or advantage*"—Value Added Tax 1983, s. 47(3)
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"*Fair rent*"—Rent assessment
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"*Fault or neglect*"—Hague Rules, art. IV, r. 3
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"*Final*"—Judicature Act 1908, s. 67 (New Zealand)
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"*For a reason*"—Disability Discrimination Act 1995, s. 5(2)(*a*)
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"*Founded on*"—County Courts Act 1984, s. 15 **Hutchings v. Islington London Borough Council,** C.A. [1998] 1 W.L.R. 1629; [1998] I.C.R. 1240

"*Freight pre-paid*"—Bill of lading
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"*General paramount clause*"—Charter **Lauritzen Reefers v. Ocean Reef Transport Ltd. S.A.,** Thomas J. [1997] 2 Lloyd's Rep. 744

"*Good and sufficient cause*"—Prosecution of Offences Act 1985, s. 22(3)(*a*)
In re **Gilligan,** D.C. [1998] 2 All E.R. 1

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"*Good marketable title*"—Land
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"*Goods or materials*"—Capital Allowances Act 1990, s. 18(1)(*e*)
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"*His . . . wife or husband*"—Rent Act 1977, Sch. 1, para. 2(2)
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"*Homeless intentionally*"—Housing Act 1985, s. 62
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"*Includes*"—Employment Rights Act 1996, s. 80(1)
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"*Including from ex factory in the People's Republic of China to warehouse in Hamburg*"—Policy
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"*Inhuman or degrading punishment or other treatment*"—Bahamas Independence Order 1973, Sch., art. 17(1) **Fisher v. Minister of Public Safety and Immigration,** P.C. [1998] A.C. 673; [1998] 3 W.L.R. 201

"*Insurer*"—Civil Jurisdiction and Judgments Act 1982, Sch. 3C, art. 11
Agnew v. Lansförsäkringsbølagens AB, C.A. [1997] 4 All E.R. 937

"*Intelligible testimony*"—Criminal Justice Act 1988, s. 33A(2A) (as amended)
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"*In the ordinary course of business*"—Companies Act 1955 (as amended), s. 266(2)(3) (New Zealand) **Countrywide Banking Corpn. Ltd. v. Dean,** P.C. [1998] A.C. 338; [1998] 2 W.L.R. 441

"*Interested in the charity*"—Charities Act 1993, s. 33(1)
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"*Interests of justice*"—Contempt of Court Act 1981, s. 10
Camelot Group Plc. v. Centaur Communications Ltd., C.A. [1998] 2 W.L.R. 379

"*Kept in custody*"—Extradition Act 1989, s. 6(4)
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"*Made . . . for use for causing injury*"—Aviation Security Act 1982, s. 4
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"*Material change in the relevant circumstances*"—Resale Prices Act 1976, s. 17(2)
In re **Net Book Agreement 1957 (No. 4),** R.P.Ct. (E. & W.) [1998] I.C.R. 753

"*Matters relating to a contract*"—Civil Jurisdiction and Judgments Act 1982, Sch. 3C, art. 5(1)
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"*Member of the original tenant's family*"—Rent Act 1977, Sch. 1, para. 3(1)
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"*Necessary modifications*"—Agricultural Holdings Act 1986, s. 2(1)
Calcott v. J. S. Bloor (Measham) Ltd., C.A. [1998] 1 W.L.R. 1490

"*Necessary in the interests of justice*"—Contempt of Court Act 1981, s. 10
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"*Neighbours*"—Housing Act 1985, Sch. 2, Part 1
Northampton Borough Council v. Lovatt, C.A. (1997) 96 L.G.R. 548

"*Not to be enforced without leave of the court*"—Order for costs
Ager v. Ager, C.A. [1998] 1 W.L.R. 1074

"*Objective of . . . test . . . to be satisfactorily achieved*"—Road Traffic Act 1988, s. 11(3)(*b*)
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"*Obligation in question*"—Civil Jurisdiction and Judgments Act 1982, Sch. 3C, art. 5(1)
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"*Office*"—Capital Allowances Act 1990, s. 18(4)
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"*Other appropriate expert advice*"—Limitation Act 1980, s. 14(3)(*b*)
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"*Owner*"—Road Traffic Act 1991, s. 82(3) (as amended)
Reg. v. Parking Adjudicator, *Ex parte* **Wandsworth London Borough Council,** C.A. [1998] R.T.R. 51

"*Particulars*"—Taxes Management Act 1970, s. 20(1)(*b*)
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"*Particular social group*"—Convention relating to the Status of Refugees, art. 1A
Reg. v. Immigration Appeal Tribunal, *Ex parte* **Shah,** C.A. [1998] 1 W.L.R. 74
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"*Payable on the amount outstanding during the relevant year*"—Local Government finance
Reg. v. Secretary of State for the Environment, *Ex parte* **Camden London Borough Council,** H.L.(E.) [1998] 1 W.L.R. 615

"*Penalty*"—Rehabilitation of Offenders Act 1974, s. 5(8)
Power v. Provincial Insurance Plc., C.A. [1998] R.T.R. 60

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"*Person*"—Interpretation Act 1978, Sch. 1 **M. v. Vincent,** E.A.T. [1998] I.C.R. 73

"*Person affected by*"—Industrial Tribunals Act 1996, s. 11(6)
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"*Place where the employee was so employed*"—Employment Protection (Consolidation) Act 1978, s. 81(2)(*a*) **High Table Ltd. v. Horst,** C.A. [1998] I.C.R. 409

"*Premises*"—Rent Act 1977, ss. 24(3), 137(3)
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"*Premises let as a dwelling*"—Protection from Eviction Act 1977, s. 5 (as amended)
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"*Produce*"—Transport Act 1968, s. 99(1)(as amended)
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"*Qualification*"—Fair Employment (Northern Ireland) Act 1976, ss. 23, 57(1)
Kelly v. Northern Ireland Housing Executive, H.L.(N.I.) [1998] 3 W.L.R. 735; [1998] I.C.R. 828

"*Recording equipment*"—Transport Act 1968, s. 97(1)(*a*) (as substituted)
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"*Recovery vehicle*"—Vehicle Excise and Registration Act 1994, Sch. 1, para. 5(2)
Vehicle Inspectorate v. Richard Read Transport Ltd. (Note), D.C. [1998] R.T.R. 288

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"*Representative, fiduciary or official capacity*"—Legal Aid Act 1988, s. 2(10)
Reg. v. Chester and North Wales Legal Aid Area Office (No. 12), *Ex parte* **Floods of Queensferry Ltd.,** C.A. [1998] 1 W.L.R. 1496

"*Right of action*"—Limitation Act 1980, s. 32(1)(*b*)
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"*Road*"—Road Traffic Act 1988, s. 192 **Clarke v. Kato,** H.L.(E.) [1998] 1 W.L.R. 1647

"*Route ... does not exceed 50 kilometres*"—Council Regulation (E.E.C.) No. 3820/85, art. 4(3)
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"*Seeking employment*"—Fair Employment (Northern Ireland) Act 1976, ss. 17, 57(1)
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"*Sentence*"—Rehabilitation of Offenders Act 1974, s. 1(3)
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"*Settlements in respect of claims*"—Follow leader clause
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"*Ship*"—Jurisdiction of Courts (Maritime Convention) Act 1989, s. 13(2)
The Von Rocks, Ireland Supreme Court [1998] 2 Lloyd's Rep. 198

"*Special reasons*"—Road Traffic Offenders Act 1988, s. 34(1)
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"*Subjection ... to any process*"—Capital Allowances Act 1990, s. 18(1)(*e*)
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"*Sufficient to enable ... test ... to be carried out*"—Road Traffic Act 1988, s. 11(3)(*a*)
Director of Public Prosecutions v. Heywood, D.C. [1998] R.T.R. 1

"*Suitable education*"—Education Act 1993, s. 298(1)
Reg. v. East Sussex County Council *Ex parte* **Tandy,** H.L.(E.) [1998] A.C. 714; [1998] 2 W.L.R. 884

"*Take over*"—Council Regulation (E.E.C.) No. 3821/85, art. 15(2)
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"*The employment*"—Equal Pay Act 1970, s. 2(4)
Preston v. Wolverhampton Healthcare N.H.S. Trust, H.L.(E.) [1998] 1 W.L.R. 280; [1998] I.C.R. 227

"*The transfer*"—Transfer of Undertakings (Protection of Employment) Regulations 1981, reg. 8(1)
Morris v. John Grose Group Ltd., E.A.T. [1998] I.C.R. 655

"*Transfer ... of an undertaking*"—Transfer of Undertakings (Protection of Employment) Regulations 1981, reg. 3(1) **ECM (Vehicle Delivery Service) Ltd. v. Cox,** E.A.T. [1998] I.C.R. 631

"*Unconditional leave to defend*"—Judicature (Appellate Jurisdiction) Act, s. 11(1)(*b*) (Jamaica)
Manderson-Jones v. Société Internationale de Télécommunications Aéronautiques, P.C. [1998] 1 W.L.R. 1486

"*Unauthorised access*"—Computer Misuse Act 1990, s. 1
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"*Unavoidable cause*"—Education Act 1996, s. 444(7)
Reg. v. Havering London Borough Council, *Ex parte* **K.,** Sedley J. (1997) 96 L.G.R. 325

"*Unless*"—Order of court
Star News Shops Ltd. v. Stafford Refrigeration Ltd., C.A. [1998] 1 W.L.R. 536

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"*Until she is again ready and in an efficient state to resume her service*"—Charter
Poseidon Schiffahrt G.m.b.H. v. Nomadic Navigation Co. Ltd., Colman J. [1998] 1 Lloyd's Rep. 57
"*Use*"—Transport Act 1968, s. 97(1) (as substituted)
Murfitts Transport Ltd. v. Department of Transport, D.C. [1998] R.T.R. 229
Birkett v. Vehicle Inspectorate, D.C. [1998] R.T.R. 264
"*Violence*"—Offences against the Person Act 1864, s. 2(2) (as substituted) (Jamaica)
Daley v. The Queen, P.C. [1998] 1 W.L.R. 494
"*Wilful misconduct*"—Local Government Finance Act 1982, s. 20(1)(*b*)
Porter v. Magill, D.C. (1997) 96 L.G.R. 157
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B. (Child Abduction: Wardship: Power to Detain), *In re* [1994] 2 F.L.R. 479, 488, C.A. **Dictum of Hobhouse L.J. applied,** *B. v. B. (Injunction: Jurisdiction)* [1998] 1 W.L.R. 329

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Bank of Baroda v. Rayarael [1995] 2 F.L.R. 376, C.A. **Applied,** *Barlays Bank Plc. v. Thomson* [1997] 4 All E.R. 816, C.A.

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Clarke v. Kato [1997] 1 W.L.R. 208; [1997] R.T.R. 264, C.A. **Decision of the Court of Appeal reversed** [1998] 1 W.L.R. 1647, H.L.(E.)

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Copecrest Ltd., *In re*; Secretary of State for Trade and Industry v. McTighe (No. 2) [1996] 2 B.C.L.C. 477, C.A. **Applied,** *In re Westmid Packing Services Ltd.* [1998] 2 All E.R. 124, C.A.

Cosslett (Contractors) Ltd., *In re* [1997] Ch. 23; [1996] 3 W.L.R. 299: [1996] 4 All E.R. 46. **Decision of Jonathan Parker J. affirmed** [1998] Ch. 495; [1998] 2 W.L.R. 131, C.A.

Costellow v. Somerset County Council [1993] 1 W.L.R. 256; [1993] 1 All E.R. 952, C.A. **Followed,** *Finnegan v. Parkside Health Authority* [1998] 1 W.L.R. 411, C.A. **Applied,** *Marshall v. Gradon Construction Services Ltd.* [1997] 4 All E.R. 880, C.A.; *Star News Shops Ltd. v. Stafford Refrigeration Ltd.* [1998] 1 W.L.R. 536, C.A.

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Cran v. Camden London Borough Council [1995] R.T.R. 346. **Applied,** *R. v. Parking Adjudicator, Ex parte Bexley London Borough Council* [1998] R.T.R. 128

Crees v. Royal London Mutual Insurance Society Ltd. [1997] I.R.L.R. 85, C.A. **Decision of the Employment Appeal Tribunal reversed** [1998] I.C.R. 848, C.A.

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Cushing v. Dupuy (1880) 5 App.Cas. 409, P.C. **Not followed,** *De Morgan v. Director-General of Social Welfare* [1998] A.C. 275; [1998] 2 W.L.R. 427, P.C.

Cussons (New Zealand) Pty. Ltd. v. Unilever Plc. [1997] 1 N.Z.L.R. 433. **Decision of the Court of Appeal of New Zealand affirmed** [1998] A.C. 328; [1998] 2 W.L.R. 95, P.C.

Customs and Excise Comrs. v. Thorn Materials Supply Ltd. [1996] S.T.C. 1490, C.A. **Decision of the Court of Appeal affirmed** [1998] 1 W.L.R. 1106, H.L.(E.)

Cutter v. Eagle Star Insurance Co. Ltd. [1997] 1 W.L.R. 1082; [1997] 2 All E.R. 311, C.A. **Decision of the Court of Appeal reversed** [1998] 1 W.L.R. 1647, H.L.(E.)

Daimler Co. Ltd. v. Continental Tyre and Rubber Co. (Great Britain) Ltd. [1916] 2 A.C. 307, 340, H.L.(E.). **Dictum of Lord Parker of Waddington applied,** *Bermuda Cablevision Ltd. v. Colica Trust Co. Ltd.* [1998] A.C. 198; [1998] 2 W.L.R. 82, P.C.

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Department of the Environment v. Royal Insurance Plc. (1986) 54 P. & C.R. 26. **Overruled,** *Bacchiocchi v. Academic Agency Ltd.* [1998] 1 W.L.R. 1313, C.A.

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Digital Equipment Co. Ltd. v. Clements (No. 2) [1997] I.C.R. 237, E.A.T. **Decision of the Employment Appeal Tribunal reversed** [1998] I.C.R. 258, C.A.

Dimtsu v. Westminster City Council [1991] I.R.L.R. 450, E.A.T. **Applied,** *Divine-Bortey v. Brent London Borough Council* [1998] I.C.R. 886, C.A.

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Director of Public Prosecutions v. Derbyshire [1994] R.T.R. 351, D.C. **Distinguished,** *Director of Public Prosecutions v. Anderson (trading as Spotmix RMC)* [1998] R.T.R. 16, D.C.

Director of Public Prosecutions v. Donnelly [1998] R.T.R. 188, D.C. **Not followed,** *Jackson v. Director of Public Prosecutions* [1998] R.T.R. 141, D.C.

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Dooley v. Cammell Laird & Co. Ltd. [1951] 1 Lloyd's Rep. 271. **Distinguished,** *Hunter v. British Coal Corpn.* [1998] 3 W.L.R. 685, C.A.

Downer & Downer Ltd. v. Brough [1996] 1 W.L.R. 575, C.A. **Applied,** *Bannister v. S.G.B. Plc.* [1998] 1 W.L.R. 1123, C.A.

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Duckwari Plc., *In re* [1997] Ch. 201; [1997] 2 W.L.R. 48, C.A. **Decision of Judge Paul Baker Q.C. sitting as a judge of the Chancery Division reversed** [1998] 3 W.L.R. 913, C.A.

Dunbar Bank Plc. v. Nadeem [1997] 2 All E.R. 253. **Decision of Robert Englehart Q.C. sitting as a deputy judge of the Chancery Division reversed** [1998] 3 All E.R. 876

Dundee General Hospitals Board of Management v. Walker [1952] 1 All E.R. 896, 905, H.L.(Sc.). **Dictum of Lord Reid applied,** *Scott v. National Trust for Places of Historic Interest or Natural Beauty* [1998] 2 All E.R. 705

Dunkley v. The Queen [1995] 1 A.C. 419; [1994] 3 W.L.R. 1124; [1995] 1 All E.R. 279, P.C. **Distinguished,** *Ricketts v. The Queen* [1998] 1 W.L.R. 1016, P.C.

Dunmore v. McGowan [1978] 1 W.L.R. 617; [1978] 2 All E.R. 85; 52 T.C. 307, C.A. **Considered,** *Girvan v. Orange Personal Communications Services Ltd.* (1998) T.C. Leaflet No. 3553

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Effort Shipping Co. Ltd. v. Linden Management S.A. [1998] A.C. 605; [1998] 2 W.L.R. 206, H.L.(E.); [1998] 1 All E.R. 495; [1998] 1 Lloyd's Rep. 337, H.L.(E.). **Considered,** *Borealis A.B. v. Stargas Ltd.* [1998] 3 W.L.R. 1353, C.A.

Eke v. Peach (unreported), 21 November 1997, E.A.T. **Approved,** *Marks & Spencer Plc. v. Martins* [1998] I.C.R. 1005, C.A.

El Ajou v. Dollar Land Holdings Plc. [1994] 2 All E.R. 685, C.A. **Considered,** *Red Sea Tankers Ltd. v. Papachristidis* [1997] 2 Lloyd's Rep. 547

Ellerine Brothers (Pty.) Ltd. v. Klinger [1982] 1 W.L.R. 1375; [1982] 2 All E.R. 737, C.A. **Followed,** *Halki Shipping Corpn. v. Sopex Oils Ltd.* [1998] 1 W.L.R. 726, C.A.

Elliott Turbomachinery Ltd. v. Bates [1981] I.C.R. 218, E.A.T. **Not followed,** *Church v. West Lancashire N.H.S. Trust* [1998] I.C.R. 423, E.A.T.

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Hall v. Manchester Corpn. (1915) 84 L.J.Ch. 732, 743, H.L.(E.). **Dicta of Lord Parker of Waddington applied,** *Cunningham v. Birmingham City Council* (1997) 96 L.G.R. 231, D.C.

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Harris & Sons v. Judge [1892] 2 Q.B. 565, C.A. **Applied,** *Kings Quality Homes Ltd. v. A.J. Paints Ltd.* [1998] 1 W.L.R. 124, C.A.

Harrison Bowden Ltd. v. Bowden [1994] I.C.R. 186, E.A.T. **Followed,** *Morris v. Grose Group Ltd.* [1998] I.C.R. 655, E.A.T.

Harrods Ltd. v. Remick [1996] I.C.R. 846, E.A.T. **Decision of the Employment Appeal Tribunal affirmed** [1998] I.C.R. 156, C.A.

Harrods Ltd. v. Remick [1996] I.C.R. 846, E.A.T.; [1998] I.C.R. 156; [1998] 1 All E.R. 52, C.A. **Applied,** *C. J. O'Shea Construction Ltd. v. Bassi* [1998] I.C.R. 1130, E.A.T.

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Highgrade Traders Ltd., *In re* [1984] B.C.L.C. 151, C.A. **Distinguished,** *Secretary of State for Trade and Industry v. Baker* [1998] Ch. 356; [1998] 2 W.L.R. 667

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Hillingdon London Borough Council v. A.R.C. Ltd. [1998] 1 W.L.R. 174; [1997] 3 All E.R. 506. **Decision of Stanley Burnton Q.C. sitting as a deputy judge of the Chancery Division affirmed** [1998] 3 W.L.R. 754, C.A.

Hillsdown Holdings Plc. v. Pensions Ombudsman [1997] 1 All E.R. 862, 898. **Dictum of Knox J. followed,** *Edge v. Pensions Ombudsman* [1998] Ch. 512; [1998] 3 W.L.R. 466

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Holman v. Johnson (1775) 1 Cowp. 341, 343. **Dicta of Lord Mansfield C.J. applied,** *Clunis v. Camden and Islington Health Authority* [1998] Q.B. 978; [1998] 2 W.L.R. 902, C.A.

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Hyundai Heavy Industries Co. Ltd. v. Papadopoulos [1980] 1 W.L.R. 1129; [1980] 2 All E.R. 29, H.L.(E.). **Applied,** *Stocznia Gdanska S.A. v. Latvian Shipping Co.* [1998] 1 W.L.R. 574, H.L.(E.)

Ibex Trading Co. Ltd. v. Walton [1994] I.C.R. 907, E.A.T. **Not followed,** *Morris v. John Grose Group Ltd.* [1998] I.C.R. 655, E.A.T.

Ibrahim v. The King [1914] A.C. 599, P.C. **Distinguished,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

Impress (Worcester) Ltd. v. Rees [1971] 2 All E.R. 357, D.C. **Overruled,** *Environment Agency (formerly National Rivers Authority) v. Empress Car Co. (Abertillery) Ltd.* [1998] 2 W.L.R. 350, H.L.(E.)

Independent Television Authority and Associated-Rediffusion Ltd. v. Inland Revenue Comrs. [1961] A.C. 427; [1960] 3 W.L.R. 48; [1960] 2 All E.R. 481, H.L.(E.). **Distinguished,** *L.M Tenancies 1 Plc. v. Inland Revenue Comrs.* [1998] 1 W.L.R. 1269, C.A.

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Institute of Chartered Accountants in England and Wales v. Customs and Excise Comrs. [1996] S.T.C. 799. **Decision of Tuckey J. affirmed** [1998] 1 W.L.R. 315, C.A.

Insurance Co. of Africa v. Scor (U.K.) Reinsurance Co. Ltd. [1985] 1 Lloyd's Rep. 312, C.A. **Applied,** *Baker v. Black Sea & Baltic General Insurance Co. Ltd.* [1998] 1 W.L.R. 974, H.L.(E.)

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J. (A Minor) (Abduction: Custody Rights), *In re* [1990] 2 A.C. 562, 578; [1990] 3 W.L.R. 492; [1990] 2 All E.R. 961, H.L.(E.). **Dictum of Lord Brandon of Oakbrook applied,** *Nessa v. Chief Adjudication Officer* [1998] 2 All E.R. 728, C.A. **Considered,** *In re W. (Minors) (Abduction: Father's Rights)* [1998] 3 W.L.R. 1372

J.S. (A Minor), *In re* [1981] Fam. 22; [1980] 3 W.L.R. 984; [1980] 1 All E.R. 1061, C.A. **Distinguished,** *T. v. Child Support Agency* [1998] 1 W.L.R. 144

Jackson v. Director of Public Prosecutions [1998] R.T.R. 141, D.C. **Decision of the Divisional Court of the Queen's Bench Division reversed** [1998] 3 W.L.R. 514, H.L.(E.)

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Jarmin v. Rawlings (1994) 67 T.C. 130. **Considered,** *Barrett v. Powell* (1998) 70 T.C. 432

Jenkins v. Jackson (1888) 40 Ch.D. 71. **Not followed,** *Southwark London Borough Council v. Mills* [1998] 3 W.L.R. 49

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Johnson v. Chief Adjudication Officer (Case C-410/92) [1995] I.C.R. 375; [1994] E.C.R. I-5483, E.C.J. **Considered,** *Magorrian v. Eastern Health and Social Services Board* (Case C-246/96) [1998] I.C.R. 979, E.C.J.

Johnson v. Davies [1997] 1 W.L.R. 1511; [1997] 1 All E.R. 921. **Decision of Jacob J. affirmed** [1998] 3 W.L.R. 1299, C.A.

Johnson News of London v. Ealing London Borough Council (1989) 154 J.P. 33. **Disapproved,** *Surrey Free Inns Plc. v. Gosport Borough Council* (1998) 96 L.G.R. 369, D.C.

Jonas v. Bamford (1973) 51 T.C. 1. **Followed,** *Hurley v. Taylor* (1998) T.C. Leaflet No. 3543

Jones v. Bates [1938] 2 All E.R. 237, C.A. **Considered,** *R. v. Secretary of State for the Environment, Ex parte Billson* [1998] 3 W.L.R. 1240

Jones v. Lipman [1962] 1 W.L.R. 832; [1962] 1 All E.R. 442. **Distinguished,** *Yukong Line Ltd. of Korea v. Rendsburg Investments Corpn. of Liberia (No. 2)* [1998] 1 W.L.R. 294

Jones v. Metcalfe [1967] 1 W.L.R. 1286; [1967] 3 All E.R. 205, D.C. **Applied,** *Ahmed v. Director of Public Prosecutions* [1998] R.T.R. 90, D.C.

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Kaufman v. Gerson [1904] 1 K.B. 591, C.A. **Applied,** *Royal Boskalis Westminster N.V. v. Mountain* [1998] 2 W.L.R. 538, C.A.

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Kelly v. Northern Ireland Housing Executive [1997] N.I. 125, C.A.(N.I.). **Decision of the Court of Appeal in Northern Ireland reversed** [1998] 3 W.L.R. 735; [1998] I.C.R. 828, H.L.(N.I.)

Kilmarnock Equitable Co-operative Society Ltd. v. Inland Revenue Comrs. (1966) 42 T.C. 675. **Distinguished,** *Sarsfield v. Dixons Group Plc.* (1998) T.C. Leaflet No. 3560, C.A.

King, *In re;* Mellor v. South Australian Land Mortgage and Agency Co. [1907] 1 Ch. 72. **Not followed,** *In re Yorke, decd.* [1997] 4 All E.R. 907

Kinnear v. Falconfilms N.V. [1996] 1 W.L.R. 920; [1994] 3 All E.R. 42. **Distinguished,** *Hough v. P. & O. Containers Ltd.* [1998] 3 W.L.R. 851

Kirby v. Hughes (1992) 65 T.C. 532. **Considered,** *Goodwin v. Curtis* (1998) T.C. Leaflet No. 3548, C.A.

Kirkham v. Chief Constable of the Greater Manchester Police [1990] 2 Q.B. 283; [1990] 2 W.L.R. 987; [1990] 3 All E.R. 246, C.A. **Considered,** *Reeves v. Comr. of Police of the Metropolis* [1998] 2 W.L.R. 401, C.A.

Kleinwort Benson Ltd. v. Barbrak Ltd. [1987] A.C. 597; [1987] 2 W.L.R. 1053; [1987] 2 All E.R. 289, H.L.(E.). **Applied,** *Binning Bros. Ltd. v. Thomas Eggar Verrall Bowles* [1998] 1 All E.R. 409, C.A.

Kleinwort Benson Ltd. v. Glasgow City Council (Case C-346/93) [1996] Q.B. 57; [1995] 3 W.L.R. 866; [1995] E.C.R. I-615, E.C.J. **Distinguished,** *Leur-Bloem v. Inspecteur der Belastingdienst/ Ondernemingen Amsterdam 2* (Case C-28/95) [1998] Q.B. 182; [1998] 2 W.L.R. 27, E.C.J.

Kleinwort Benson Ltd. v. Sandwell Borough Council [1994] 4 All E.R. 890. **Approved,** *Guinness Mahon & Co. Ltd. v. Kensington and Chelsea Royal London Borough Council* [1998] 3 W.L.R. 829, C.A.

Kok Hoong v. Leong Cheong Kweng Mines Ltd. [1964] A.C. 993; [1964] 2 W.L.R. 150; [1964] 1 All E.R. 300, P.C. **Applied,** *Westacre Investments Inc. v. Jugoimport-SPDR Holding Co. Ltd.* [1998] 3 W.L.R. 770

Kumchyk v. Derby City Council [1978] I.C.R. 1116, E.A.T. **Applied,** *Divine-Bortey v. Brent London Borough Council* [1998] I.C.R. 886, C.A.

Kurz v. Stella Musical Veranstaltungs G.m.b.H. [1992] Ch. 196; [1991] 3 W.L.R. 1046; [1992] 1 All E.R. 630. **Applied,** *Hough v. P. & O. Containers Ltd.* [1998] 3 W.L.R. 851

Kwik Save Stores Ltd. v. Greaves [1997] I.C.R. 629, E.A.T. **Decision of the Employment Appeal Tribunal reversed** [1998] I.C.R. 848, C.A.

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Lamb (W. T.) & Sons v. Rider [1948] 2 K.B. 331; [1948] 2 All E.R. 402, C.A. **Considered,** *Lowsley v. Forbes (trading as L. E. Design Services)* [1998] 3 W.L.R. 501, H.L.(E.)

Lamey v. The Queen [1996] 1 W.L.R. 902, P.C. **Considered,** *Daley v. The Queen* [1998] 1 W.L.R. 494, P.C.

Lane v. Esdaile [1891] A.C. 210, H.L.(E.). **Distinguished,** *Kemper Reinsurance Co. v. Minister of Finance* [1998] 3 W.L.R. 630, P.C.

Lange v. Finanzamt Fürstenfeldbruck (Case C-111/92) [1993] E.C.R. I-4677, E.C.J. **Applied,** *R. v. Goodwin* (Case C-3/97) [1998] Q.B. 883; [1998] 3 W.L.R. 565, E.C.J.

Larrinaga Steamship Co. Ltd. v. The King [1945] A.C. 246; [1945] 1 All E.R. 329, H.L.(E.). **Applied,** *Whistler International Ltd. v. Kawasaki Kisen Kaisha Ltd.* [1998] 3 W.L.R. 184

Launchbury v. Morgans [1973] A.C. 127; [1972] 2 W.L.R. 1217; [1972] 2 All E.R. 605; [1972] R.T.R. 406, H.L.(E.). **Followed,** *Candler v. Thomas (trading as London Leisure Lines)* [1998] R.T.R. 214, C.A.

Lawson v. Midland Travellers Ltd. [1993] 1 W.L.R. 735; [1993] 1 All E.R. 989, C.A. **Applied,** *Binning Bros Ltd. v. Thomas Eggar Verrall Bowles* [1998] 1 All E.R. 409, C.A.

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Leighton v. Michael [1995] I.C.R. 1091, E.A.T. **Considered,** *Hall v. Woolston Hall Leisure Ltd.* [1998] I.C.R. 651, E.A.T.

Lemenda Trading Co. Ltd. v. African Middle East Petroleum Co. Ltd. [1988] Q.B. 448; [1998] 2 W.L.R. 735; [1988] 1 All E.R. 513. **Distinguished,** *Westacre Investments Inc. v. Jugoimport-SPDR Holding Co. Ltd.* [1998] 3 W.L.R. 770

Lepine, *In re*; Dowsett v. Culver [1892] 1 Ch. 210, C.A. **Distinguished,** *Kane v. Radley-Kane* [1998] 3 W.L.R. 617

Leslie, *In re*; Leslie v. French (1883) 23 Ch.D. 552, 560. **Dictum of Fry L.J. applied,** *Foskett v. McKeown* [1998] Ch. 265; [1998] 2 W.L.R. 298, C.A.

Lewis v. Daily Telegraph Ltd. [1964] A.C. 234; [1963] 2 W.L.R. 1063; [1963] 2 All E.R. 151, H.L.(E.). **Applied,** *Mapp v. News Group Newspapers Ltd.* [1998] Q.B. 520; [1998] 2 W.L.R. 260, C.A. **Considered,** *Shah v. Standard Chartered Bank* [1998] 3 W.L.R. 592, C.A.

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Liverpool and London and Globe Insurance Co. v. Bennett [1912] 2 K.B. 41, C.A.; [1913] A.C. 610; 6 T.C. 327, H.L.(E.). **Considered,** *Johnson v. Prudential Assurance Co. Ltd.* (1998) 70 T.C. 445, C.A.

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Logabax Ltd. v. Titherley [1977] I.C.R 369, E.A.T. **Followed,** *Holland v. Glendale Industries Ltd.* [1998] I.C.R. 493, E.A.T.

Logan v. The Queen [1996] A.C. 871; [1996] 2 W.L.R. 711; [1996] 4 All E.R. 190, P.C. **Applied,** *Bull v. The Queen* [1998] 1 W.L.R. 1523, P.C.

London County Commercial Reinsurance Office Ltd., *In re* [1922] 2 Ch. 67. **Considered,** *Commercial Union Assurance Co. Plc. v. NRG Victory Reinsurance Ltd.* [1998] 1 Lloyd's Rep. 80

Londonderry's Settlement, *In re* [1965] Ch. 918; [1965] 2 W.L.R. 229; [1964] 3 All E.R. 855, C.A. **Applied,** *Edge v. Pensions Ombudsman* [1998] Ch. 512; [1998] 3 W.L.R. 466

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Lonrho Plc., *In re* [1990] 2 A.C. 154; [1989] 3 W.L.R. 535; [1989] 2 All E.R. 1100, H.L.(E.). **Considered,** *Attorney-General v. Unger* [1998] 1 Cr.App.R. 308, D.C.

Lord (Owners of S.S.) v. Newsum Sons & Co. Ltd. [1920] 1 K.B. 846. **Not followed,** *Whistler International Ltd. v. Kawasaki Kisen Kaisha Ltd.* [1998] 3 W.L.R. 184

Loughran v. Northern Ireland Housing Executive [1997] N.I. 125, C.A.(N.I.). **Decision of the Court of Appeal in Northern Ireland affirmed** [1998] 3 W.L.R. 735; [1998] I.C.R. 828, H.L.(N.I.)

Lupetti v. Wrens Old House Ltd. [1984] I.C.R. 348, E.A.T. **Distinguished,** *Cast v. Croydon College* [1998] I.C.R. 77, E.A.T.

M.B. (An Adult: Medical Treatment), *In re* [1997] 2 F.C.R. 541, C.A. **Approved,** *St. George's Healthcare N.H.S. Trust v. S.* [1998] 3 W.L.R. 936, C.A.

M.B. Pyramid Sound N.V. v. Briese Schiffahrts G.m.b.H. and Co. K.G. [1995] 2 Lloyd's Rep. 144. **Considered,** *Sunrise Maritime Inc. v. Uvisco Ltd.* [1998] 2 Lloyd's Rep. 287

M. v. Vincent [1998] I.C.R. 73, E.A.T. **Doubted,** *R. v. London (North) Industrial Tribunal, Ex parte Associated Newspapers Ltd.* [1998] I.C.R. 1212

McGregor v. Adcock [1977] 1 W.L.R. 864; [1977] 3 All E.R. 65; 51 T.C. 692. **Considered,** *Barrett v. Powell* (1998) 70 T.C. 432

McLeod v. Butterwick [1996] 1 W.L.R. 995; [1996] 3 All E.R. 236. **Decision of Judge Roger Cooke, sitting as a High Court judge affirmed** [1998] 1 W.L.R. 1603, C.A.

McPherson v. Rathgael Centre for Children and Young People [1991] I.R.L.R. 206, C.A.(N.I.). **Disapproved,** *Strathclyde Regional Council v. Wallace* [1998] 1 W.L.R. 259; [1998] I.C.R. 205, H.L.(Sc.)

Mahmoud and Ispahani, *In re* [1921] 2 K.B. 716, C.A. **Applied,** *Mohamed v. Alaga & Co.* [1998] 2 All E.R. 720

Mahon v. Rahn [1998] Q.B. 424; [1997] 3 W.L.R. 1230; [1997] 3 All E.R. 687, C.A. **Considered,** *Bunn v. British Broadcasting Corpn.* [1998] 3 All E.R. 552. **Disapproved,** *Taylor v. Director of the Serious Fraud Office* [1998] 3 W.L.R. 1040, H.L.(E.)

Mairs v. Haughey [1994] 1 A.C. 303; [1993] 3 W.L.R. 393; [1993] 3 All E.R. 801; 66 T.C. 273, H.L.(N.I.). **Considered,** *E.M.I. Group Electronics Ltd. v. Coldicott* (1997) T.C. Leaflet No. 3536

Man (E. D. & F.) (Sugar) Ltd. v. Yani Haryanto (No. 2) [1991] 1 Lloyd's Rep. 429, C.A. **Applied,** *Westacre Investments Inc. v. Jugoimport-SPDR Holding Co. Ltd.* [1998] 3 W.L.R. 770

Mangin v. Inland Revenue Comr. [1971] A.C. 739; [1971] 2 W.L.R. 39; [1971] 1 All E.R. 179, P.C. **Considered,** *Johnson v. Prudential Assurance Co. Ltd.* (1998) 70 T.C. 445, C.A.

Mannai Investment Co. Ltd. v. Eagle Star Life Assurance Co. Ltd. [1997] A.C. 749; [1997] 2 W.L.R. 945; [1997] 3 All E.R. 352, H.L.(E.). **Applied,** *Atari Corpn. (U.K.) Ltd. v. Electronics Boutique Stores (U.K.) Ltd.* [1998] Q.B. 539; [1998] 2 W.L.R. 66, C.A.; *Garston v. Scottish Widows' Fund and Life Assurance Society* [1998] 1 W.L.R. 1583, C.A.

Manning v. Turner [1957] 1 W.L.R. 91; [1956] 3 All E.R. 641. **Considered,** *Barclays Bank Plc. v. Weeks Legg & Dean* [1998] 3 W.L.R. 656, C.A.

Marc Rich & Co. A.G. v. Bishop Rock Marine Co. Ltd. [1996] A.C. 211; [1995] 3 W.L.R. 227; [1995] 3 All E.R. 307; [1995] 2 Lloyd's Rep. 299, H.L.(E.). **Applied,** *Reeman v. Department of Transport* [1997] 2 Lloyd's Rep. 648, Judge Robert Taylor and C.A. **Considered,** *Perrett v. Collins* [1998] 2 Lloyd's Rep. 255, C.A.

March Estates Plc. v. Gunmark Ltd. [1996] 2 B.C.L.C. 1. **Considered,** *Johnson v. Davies* [1998] 3 W.L.R. 1299, C.A.

Mariola Maritime Corpn. v. Lloyd's Register of Shipping [1990] 1 Lloyd's Rep. 547. **Applied,** *Reeman v. Department of Transport* [1997] 2 Lloyd's Rep. 648, Judge Robert Taylor and C.A.

Maspons y Hermano v. Mildred, Goyeneche & Co. (1883) 8 App.Cas. 874, H.L.(E.). **Applied,** *Eide U.K. Ltd. v. Lowndes Lambert Group Ltd.* [1998] 3 W.L.R. 643, C.A.

Massey v. Midland Bank Plc. [1995] 1 All E.R. 929, C.A. **Applied,** *Barclays Bank Plc. v. Thomson* [1997] 4 All E.R. 816, C.A.

Maunsell v. Olins [1975] A.C. 373; [1974] 3 W.L.R. 835; [1975] 1 All E.R. 16, H.L.(E.). **Considered,** *Wellcome Trust Ltd. v. Hamad* [1998] Q.B. 638; [1998] 2 W.L.R. 156, C.A.

Meade v. British Fuels Ltd. [1998] I.C.R. 387, C.A.; [1996] I.R.L.R. 541, E.A.T. **Decision of the Court of Appeal reversed** [1998] 3 W.L.R. 1070; [1998] I.C.R. 1141, H.L.(E.)

Meah v. McCreamer [1985] 1 All E.R. 367. **Doubted,** *Clunis v. Camden and Islington Health Authority* [1998] Q.B. 978; [1998] 2 W.L.R. 902, C.A.

Medina Princess, The [1965] 1 Lloyd's Rep. 361. **Considered,** *Kusel v. Atkin* [1997] 2 Lloyd's Rep. 749

Melville v. The King [1946] A.C. 101, P.C. **Applied,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

Mercantile Group (Europe) A.G. v. Aiyela [1994] Q.B. 366; [1993] 3 W.L.R. 1116; [1994] 1 All E.R. 110, C.A. **Distinguished,** *B. v. B. (Injunction: Jurisdiction)* [1998] 1 W.L.R. 329

Meridian Global Funds Management Asia Ltd. v. Securities Commission [1995] 2 A.C. 500; [1995] 3 W.L.R. 413; [1995] 3 All E.R. 918, P.C. **Considered,** *Red Sea Tankers Ltd. v. Papachristidis* [1997] 2 Lloyd's Rep. 547

Methodist Conference (President of the) v. Parfitt [1984] Q.B. 368; [1984] 2 W.L.R. 84; [1984] I.C.R. 176; [1983] 3 All E.R. 747, C.A. **Followed,** *Diocese of Southwark v. Coker* [1998] I.C.R. 140, C.A.

Midland Bank Plc. v. Serter [1995] 1 F.L.R. 1034, C.A. **Applied,** *Barclays Bank Plc. v. Thomson* [1997] 4 All E.R. 816, C.A.

Midland Bank Trust Co. Ltd. v. Green (No. 3) [1979] Ch. 496; [1979] 2 W.L.R. 594; [1979] 2 All E.R. 193. **Applied,** *Shocked v. Goldschmidt* [1998] 1 All E.R. 372, C.A.

Midland Bank Trust Co. Ltd. v. Hett, Stubbs & Kemp [1979] Ch. 384, 402; [1978] 3 W.L.R. 167; [1978] 3 All E.R. 571. **Dicta of Oliver J. applied,** *National Home Loans Corpn. Plc. v. Giffen Couch & Archer* [1998] 1 W.L.R. 207, C.A.

Midland Silicones Ltd v. Scruttons Ltd. [1962] A.C. 446; [1962] 2 W.L.R. 186; [1962] 1 All E.R. 1; [1961] 2 Lloyd's Rep. 365, H.L.(E.). **Applied,** *Deepak Fertilisers and Petrochemicals Corpn. v. ICI Chemicals & Polymers Ltd.* [1998] 2 Lloyd's Rep. 139

Miller v. Minister of Mines [1963] A.C. 484; [1963] 2 W.L.R. 92; [1963] 1 All E.R. 109, P.C. **Applied,** *British American Cattle Co. v. Caribe Farm Industries Ltd.* [1998] 1 W.L.R. 1529, P.C.

Ministry of Defence v. Wheeler [1996] I.C.R. 554, E.A.T. **Decision of the Employment Appeal Tribunal affirmed** [1998] 1 W.L.R. 637; [1998] I.C.R. 242, C.A.

Ministry of Defence v. Wheeler [1998] I.C.R. 242, C.A. **Distinguished,** *Digital Equipment Co. Ltd. v. Clements (No. 2)* [1998] I.C.R. 258, C.A.

Missouri Steamship Co., *In re* (1889) 42 Ch.D. 321, C.A. **Considered,** *Akai Pty. Ltd. v. People's Insurance Co. Ltd.* [1998] 1 Lloyd's Rep. 90

Mitchell v. The Queen [1998] A.C. 695; [1998] 2 W.L.R. 839, P.C. **Applied,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

Mitchell (George) (Chesterhall) Ltd. v. Finney Lock Seeds Ltd. [1983] 2 A.C. 803; [1983] 3 W.L.R. 163; [1983] 2 All E.R. 737; [1983] 2 Lloyd's Rep. 272, H.L.(E.). **Considered,** *Schenkers Ltd. v. Overland Shoes Ltd.* [1998] 1 Lloyd's Rep. 498, Geoffrey Brice Q.C. and C.A.

Mölnlycke A.B. v. Procter & Gamble Ltd. [1992] 1 W.L.R. 1112; [1992] 4 All E.R. 47, C.A. **Considered,** *Canada Trust Co. v. Stolzenberg (No. 2)* [1998] 1 W.L.R. 547, C.A.

Moore v. News of the World Ltd. [1972] 1 Q.B. 441; [1972] 2 W.L.R. 419; [1972] 1 All E.R. 915, C.A. **Considered,** *Clark v. Associated Newspapers Ltd.* [1998] 1 W.L.R. 1558

Morgan v. Hart [1914] 2 K.B. 183, C.A. **Considered,** *Soinco S.A.C.I. v. Novokuznetsk Aluminium Plant* [1998] Q.B. 406; [1998] 2 W.L.R. 334

Morris v. C. W. Martin & Sons Ltd. [1966] 1 Q.B. 716; [1965] 3 W.L.R. 276; [1965] 2 All E.R. 725; [1965] 2 Lloyd's Rep. 63, C.A. **Applied,** *Credit Lyonnais Bank Nederland N.V. (now Generale Bank Nederlande N.V.) v. Export Credit Guarantee Department* [1997] 2 Lloyd's Rep. 19, C.A.

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Practice Direction (Q.B.D.: Postal Service) [1985] 1 W.L.R. 489; [1985] 1 All E.R. 889. **Applied,** *Bannister v. S.G.B. Plc.* [1998] 1 W.L.R. 1123, C.A.

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Prime v. Hosking [1995] R.T.R. 189, 196, D.C. **Dictum of Henry L.J. applied,** *Vehicle Inspectorate v. Anelay* [1998] R.T.R. 279, D.C.

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Pugsley v. Hunter [1973] 1 W.L.R. 578; [1973] 2 All E.R. 10; [1973] R.T.R. 284, D.C. **Applied,** *Director of Public Prosecutions v. Bristow* [1998] R.T.R. 100, D.C.

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R. v. Aranguren (1994) 99 Cr.App.R. 347, C.A. **Applied,** *R. v. Wijs* [1998] 2 Cr.App.R. 436, C.A.

R. v. Aschendorf (1947) 5 J.L.R. 74. **Approved,** *Simmonds v. The Queen* [1998] A.C. 286; [1998] 2 W.L.R. 145, P.C.

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R. v. Aziz [1996] A.C. 41; [1995] 3 W.L.R. 53; [1995] 3 All E.R. 149, H.L.(E.). **Applied,** *Barrow v. The State* [1998] A.C. 846; [1998] 2 W.L.R. 957, P.C.

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R. v. Bloomfield [1997] 1 Cr.App.R. 135, C.A. **Distinguished,** *R. v. Chalkley* [1998] Q.B. 848; [1998] 3 W.L.R. 146, C.A.

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R. v. Brown [1991] Crim.L.R. 368, C.A. **Considered,** *R. v. Popat* [1998] 2 Cr.App.R. 208, C.A.

R. v. Bournewood Community and Mental Health N.H.S. Trust, *Ex parte* L. [1998] 2 W.L.R. 764; [1998] 1 All E.R. 634, C.A. **Decision of the Court of Appeal reversed** [1998] 3 W.L.R. 107, H.L.(E.)

R. v. Burt & Adams Ltd. (1996) 160 J.P. 669, C.A. **Decision of the Court of Appeal (Criminal Division) affirmed** [1998] 2 W.L.R. 725, H.L.(E.)

R. v. Butterwasser [1948] 1 K.B. 4, 6; [1947] 2 All E.R. 416, C.C.A. **Dictum of Lord Goddard C.J. applied,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

R. v. Central Criminal Court, *Ex parte* Behbehani [1994] Crim.L.R. 352. **Considered,** *R. v. Leeds Crown Court, Ex parte Briggs (No. 2)* [1998] 2 Cr.App.R. 424, D.C.

R. v. Central Criminal Court, *Ex parte* Boulding [1984] Q.B. 813; [1984] 2 W.L.R. 321; [1984] 1 All E.R. 766, D.C. **Applied,** *R. v. Clerkenwell Metropolitan Stipendiary Magistrate, Ex parte Hooper* [1998] 1 W.L.R. 800, D.C.

R. v. Chan-Fook [1994] 1 W.L.R. 689; [1994] 2 All E.R. 552; 99 Cr.App.R. 147, C.A. **Applied,** *R. v. Morris (Clarence)* [1998] 1 Cr.App.R. 386, C.A.

R. v. Chief Constable of Sussex, *Ex parte* International Trader's Ferry Ltd. [1998] Q.B. 477; [1997] 3 W.L.R. 132; [1997] 2 All E.R. 65, C.A. **Decision of the Court of Appeal affirmed** [1998] 3 W.L.R. 1260, H.L.(E.)

R. v. Chief Constable of the Merseyside Police, *Ex parte* Calveley [1986] Q.B. 424; [1986] 2 W.L.R. 144; [1986] 1 All E.R. 257, C.A. **Applied,** *Scott v. National Trust for Places of Historic Interest or Natural Beauty* [1998] 2 All E.R. 705

R. v. Chief Constable of the North Wales Police, *Ex parte* AB [1997] 3 W.L.R. 724; [1997] 4 All E.R. 691, D.C. **Decision of the Divisional Court of the Queen's Bench Division affirmed** [1998] 3 W.L.R. 57, C.A.

R. v. Christou [1992] Q.B. 979; [1992] 3 W.L.R. 228; [1992] 4 All E.R. 559, C.A. **Applied,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

R. v. Civil Service Appeal Board, *Ex parte* Cunningham [1992] I.C.R. 816, 825–826; [1991] 4 All E.R. 310, C.A. **Dicta of Lord Donaldson M.R. applied,** *Rey v. Government of Switzerland* [1998] 3 W.L.R. 1, P.C.

R. v. Clarence (1888) 22 Q.B.D. 23. **Applied,** *R. v. Richardson (Diane)* [1998] 3 W.L.R. 1292, C.A.

R. v. Clark [1996] 2 Cr.App.R. 282, C.A. **Followed,** *R. v. Kidd* [1998] 1 W.L.R. 604, C.A.

R. v. Cohen [1951] 1 K.B. 505, 506; [1951] 1 All E.R. 203, C.C.A. **Dictum of Lord Goddard C.J. considered,** *Simmonds v. The Queen* [1998] A.C. 286; [1998] 2 W.L.R. 145, P.C.

R. v. Comr. for Local Administration, *Ex parte* Croydon London Borough Council [1989] 1 All E.R. 1033; 87 L.G.R. 221, D.C. **Considered,** *C. v. Lancashire County Council* (1997) 95 L.G.R. 818

R. v. Condron (William) [1997] 1 W.L.R. 827; [1997] 1 Cr.App.R. 185, C.A. **Applied,** *R. v. Daniel* [1998] 2 Cr.App.R. 373, C.A.

R. v. Conway [1989] Q.B. 290; [1988] 3 W.L.R. 1238; [1988] 3 All E.R. 1025; 88 Cr.App.R. 159, C.A. **Considered,** *R. v. Rodger* [1998] 1 Cr.App.R. 143, C.A.

R. v. Conway (John) (1990) 91 Cr.App.R. 143, C.A. **Considered,** *R. v. Popat* [1998] 2 Cr.App.R. 208, C.A.

R. v. Coventry City Council, *Ex parte* Phoenix Aviation [1995] 3 All E.R. 37, D.C. **Distinguished,** *R. v. Chief Constable of Sussex, Ex parte International Trader's Ferry Ltd.* [1998] 3 W.L.R. 1260, H.L.(E.)

R. v. Cowan [1996] 1 Cr.App.R. 1, C.A. **Considered,** *R. v. Daniel* [1998] 2 Cr.App.R. 373, C.A.

R. v. De Oliviera [1997] Crim.L.R. 600, C.A. **Approved,** *R. v. Milton (Brown)* [1998] 2 Cr.App.R. 364, C.A.

R. v. Derby Magistrates' Court, *Ex parte* B. [1996] A.C. 487; [1995] 3 W.L.R. 681; [1995] 4 All E.R. 526, H.L.(E.). **Considered,** *Saunders v. Punch Ltd.* [1998] 1 W.L.R. 986

R. v. Director of Serious Fraud Office, *Ex parte* Smith [1993] A.C. 1; [1992] 3 W.L.R. 66; [1992] 3 All E.R. 456, H.L.(E.). **Followed,** *R. v. Hertfordshire County Council, Ex parte Green Environmental Industries* (1997) 96 L.G.R. 417, C.A.

R. v. E. [1996] 1 Cr.App.R. 88, C.A. **Considered,** *R. v. H. (Henry)* [1998] 2 Cr.App.R. 161, C.A.

R. v. East Sussex County Council, *Ex parte* Tandy [1998] A.C. 714; [1997] 3 W.L.R. 884, C.A. **Decision of the Court of Appeal reversed** [1998] A.C. 714; [1998] 2 W.L.R. 884, H.L.(E.)

R. v. Edwards [1991] 1 W.L.R. 207; [1991] 2 All E.R. 266; 93 Cr.App.R. 48, C.A. **Applied,** *R. v. Guney* [1998] 2 Cr.App.R. 242, C.A.

R. v. Fairfax [1995] Crim.L.R. 969, C.A. **Considered,** *R. v. Belmarsh Magistrates' Court, Ex parte Gilligan* [1998] 1 Cr.App.R. 14, D.C.

R. v. Fairhurst [1986] 1 W.L.R. 1374; [1987] 1 All E.R. 46; 8 Cr.App.R.(S.) 346, C.A. **Considered,** *R. v. A.M.* [1998] 1 W.L.R. 363, C.A.

R. v. Fernandes [1996] 1 Cr.App.R. 175, C.A. **Applied,** *R. v. Marshall (Adrian)* [1998] 2 Cr.App.R. 282, C.A.

R. v. Flower [1966] 1 Q.B. 146; [1965] 3 W.L.R. 1202; [1965] 3 All E.R. 669, C.C.A. **Applied,** *R. v. Gooch* [1998] 1 W.L.R. 1100, C.A.

R. v. Garcia (1987) 87 Cr.App.R. 175, C.A. **Considered,** *R. v. Ondhia (Chandriacant Vallabhji)* [1998] 2 Cr.App.R. 150, C.A.

R. v. Gloucestershire County Council, *Ex parte* Barry [1997] A.C. 584; [1997] 2 W.L.R. 459; [1997] 2 All E.R. 1; 95 L.G.R. 638, H.L.(E.). **Applied,** *R. v. Norfolk County Council, Ex parte Thorpe* (1998) 96 L.G.R. 597

R. v. Godwin (1980) 71 Cr.App.R. 97 C.A. **Distinguished,** *R. v. Ramzan* [1998] 2 Cr.App.R. 328, C.A.

R. v. Gomez [1993] A.C. 442; [1992] 3 W.L.R. 1067; [1993] 1 All E.R. 1; 96 Cr.App.R. 359, H.L.(E.). **Distinguished,** *R. v. Ngan* [1998] 1 Cr.App.R. 331, C.A.

R. v. Governor of Brixton Prison, *Ex parte* Armah [1968] A.C. 192; [1966] 3 W.L.R. 828; [1966] 3 All E.R. 177, H.L.(E.). **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Launder (No. 2)* [1998] Q.B. 994; [1998] 3 W.L.R. 221, D.C.

R. v. Governor of Brixton Prison, *Ex parte* Keane [1972] A.C. 204; [1971] 2 W.L.R. 1243; [1971] 1 All E.R. 1163, H.L.(E.). **Applied,** *In re Gilligan* [1998] 2 All E.R. 1, D.C.

R. v. Governor of Pentonville Prison, *Ex parte* Osman [1990] 1 W.L.R. 277; [1989] 3 All E.R. 701; 90 Cr.App.R. 281, D.C. **Distinguished,** *R. v. Ngan* [1998] 1 Cr.App.R. 331, C.A.

R. v. Governor of Winchester Prison, *Ex parte* Roddie [1991] 1 W.L.R. 303; [1991] 2 All E.R. 931; 93 Cr.App.R. 190, D.C. **Considered,** *R. v. Leeds Crown Court, Ex parte Briggs (No. 1)* [1998] 2 Cr.App.R. 413, D.C. **Distinguished,** *R. v. Central Criminal Court, Ex parte Abu-Wardeh* [1998] 1 W.L.R. 1083, D.C.

R. v. Halpin [1996] Crim.L.R. 112, C.A. **Distinguished,** *R. v. Guney* [1998] 2 Cr.App.R. 242, C.A.

R. v. Hampshire [1996] Q.B. 1, 8; [1995] 3 W.L.R. 260; [1995] 2 All E.R. 1019, C.A. **Applied,** *Director of Public Prosecutions v. M.* [1998] Q.B. 913; [1998] 2 W.L.R. 604, D.C. **Dictum of Auld J. applied,** *G. v. Director of Public Prosecutions* [1998] Q.B. 919; [1998] 2 W.L.R. 609, D.C.

R. v. Hancock [1986] A.C. 455; [1986] 2 W.L.R. 357; [1986] 1 All E.R. 641, H.L.(E.). **Considered,** *R. v. Woollin* [1998] 3 W.L.R. 382, H.L.(E.)

R. v. Harrow Justices, *Ex parte* Director of Public Prosecutions [1991] 1 W.L.R. 395; [1991] 3 All E.R. 873, D.C. **Considered,** *R. v. Liverpool Magistrates' Court, Ex parte Ansen* [1998] 1 All E.R. 692, D.C.

R. v. Harrow London Borough Council, *Ex parte* Fahia (1997) 29 H.L.R. 974, C.A. **Decision of the Court of Appeal affirmed** [1998] 1 W.L.R. 1396, H.L.(E.)

R. v. Hartley [1972] 2 Q.B. 1; [1972] 2 W.L.R. 101; [1972] 1 All E.R. 599; 56 Cr.App.R. 189, C.A. **Applied,** *R. v. Ramzan* [1998] 2 Cr.App.R. 328, C.A.

R. v. Hickin [1996] Crim.L.R. 67, C.A. **Followed,** *R. v. El-Hannachi* [1998] 2 Cr.App.R. 226, C.A.

R. v. Highbury Corner Magistrates' Court, *Ex parte* Sonn & Co. [1995] 1 W.L.R. 1365; [1995] 4 All E.R. 57, D.C. **Considered,** *R. v. Welsby* [1998] 1 Cr.App.R. 197

R. v. Hill (Valerie) (1988) 89 Cr.App.R. 74, C.A. **Applied,** *Chamberlain v. Lindon* [1998] 1 W.L.R. 1252, D.C.

R. v. Holmes, *Ex parte* Sherman [1981] 2 All E.R. 612, D.C. **Applied,** *R. v. Governor of Glen Parva Young Offender Institution, Ex parte G. (A Minor)* [1998] Q.B. 877; [1998] 3 W.L.R. 13, D.C.

R. v. Horseferry Road Magistrates' Court, *Ex parte* Bennett [1994] 1 A.C. 42; [1993] 3 W.L.R. 90; [1993] 3 All E.R. 138; 98 Cr.App.R. 114, H.L.(E.). **Applied,** *R. v. Liverpool Stipendiary Magistrate, Ex parte Slade* [1998] 1 W.L.R. 531, D.C.; *R. v. Dean* [1998] 2 Cr.App.R. 171, C.A. **Distinguished,** *R. v. Martin (Alan)* [1998] A.C. 917; [1998] 2 W.L.R. 1, H.L.(E.); *R. v. Staines Magistrates' Court, Ex parte Westfallen* [1998] 1 W.L.R. 652, D.C.

R. v. Howard [1966] 1 W.L.R. 13; [1965] 3 All E.R. 684; 50 Cr.App.R. 56, C.C.A. **Distinguished,** *R. v. Malone* [1998] 2 Cr.App.R. 447, C.A.

R. v. Immigration Appeal Tribunal and Surinder Singh, *Ex parte* Secretary of State for the Home Department (Case C-370/90) [1992] E.C.R. I-4265, E.C.J. **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Sahota* [1998] 2 W.L.R. 626, C.A.

R. v. Immigration Appeal Tribunal, *Ex parte* Shah [1997] Imm.A.R. 145. **Decision of Sedley J. reversed** [1998] 1 W.L.R. 74, C.A.

R. v. Immigration Appeal Tribunal, *Ex parte* Shah [1998] 1 W.L.R. 74, C.A. **Distinguished,** *Ouanes v. Secretary of State for the Home Department* [1998] 1 W.L.R. 218, C.A.

R. v. Imrie (1917) 12 Cr.App.R. 282, C.C.A. **Considered,** *R. v. Duffy* [1998] 1 W.L.R. 1060, C.A.

R. v. Inland Revenue Comrs., *Ex parte* Rossminster Ltd. [1980] A.C. 952; [1980] 2 W.L.R. 1; [1980] 1 All E.R. 80, H.L.(E.). **Distinguished,** *Gibbs v. Rea* [1998] A.C. 786; [1998] 3 W.L.R. 72, P.C.

R. v. Inspector of Taxes, *Ex parte* Bass Holdings Ltd. (1992) 65 T.C. 495. **Considered,** *Schuldenfrei v. Hilton* (1998) T.C. Leaflet No. 3545

R. v. Jenner [1983] 1 W.L.R. 873; [1983] 2 All E.R. 46, C.A. **Applied,** *Dilieto v. Ealing London Borough Council* [1998] 3 W.L.R. 1403, D.C.

R. v. Khan (Sultan) [1997] A.C. 558; [1996] 3 W.L.R. 162; [1996] 3 All E.R. 289, H.L.(E.). **Applied,** *R. v. Chalkley* [1998] Q.B. 848; [1998] 3 W.L.R. 146, C.A.

R. v. Kimber [1983] 1 W.L.R. 1118; [1983] 3 All E.R. 316; 77 Cr.App.R. 225, C.A. **Applied,** *R. v. Paine* [1998] 1 Cr.App.R. 36, Ct.-M.A.C.

R. v. Lang (1975) 62 Cr.App.R. 50, C.A. **Distinguished,** *R. v. Malone* [1998] 2 Cr.App.R. 447, C.A.

R. v. McLean (1968) 52 Cr.App.R. 80, C.A. **Applied,** *Ahmed v. Director of Public Prosecutions* [1998] R.T.R. 90, D.C.

R. v. Macmath [1997] Crim.L.R. 586, C.A. **Considered,** *R. v. Popat* [1998] 2 Cr.App.R. 208, C.A.

R. v. Maloney [1985] A.C. 905; [1985] 2 W.L.R. 648; [1985] 1 All E.R. 1025, H.L.(E.). **Considered,** *R. v. Woollin* [1998] 3 W.L.R. 382, H.L.(E.)

R. v. Martin (Colin) [1989] 1 All E.R. 652; [1989] R.T.R. 63; 88 Cr.App.R. 343, C.A. **Considered,** *R. v. Rodger* [1998] 1 Cr.App.R. 143, C.A.

R. v. Metropolitan Police Comr., *Ex parte* Arkins [1966] 1 W.L.R. 1593; [1966] 3 All E.R. 651, D.C. **Applied,** *In re Gilligan* [1998] 2 All E.R. 1, D.C.

R. v. Miller (Simon) [1977] 1 W.L.R. 1129; [1977] 3 All E.R. 986; 65 Cr.App.R. 79, C.A. **Applied,** *R. v. Ramzan* [1998] 2 Cr.App.R. 328, C.A.

R. v. Mills (Leslie) (1978) 68 Cr.App.R. 154, C.A. **Doubted,** *R. v. Kidd* [1998] 1 W.L.R. 604, C.A.

R. v. Nedrick [1986] 1 W.L.R. 1025; [1986] 3 All E.R. 1, C.A. **Applied,** *R. v. Woollin* [1998] 3 W.L.R. 382, H.L.(E.)

R. v. Neil [1994] Crim.L.R. 441, C.A. **Considered,** *R. v. Nelson* [1998] 2 Cr.App.R. 399, C.A.

R. v. Norwich Crown Court, *Ex parte* Parker (1992) 96 Cr.App.R. 68, D.C. **Considered,** *R. v. Leeds Crown Court, Ex parte Briggs (No. 1)* [1998] 2 Cr.App.R. 413, D.C.; *R. v. Leeds Crown Court, Ex parte Briggs (No. 2)* [1998] 2 Cr.App.R. 424, D.C.

R. v. Ollerenshaw, The Times, 6 May 1998, C.A. **Applied,** *R. v. Dosanjh* [1998] 3 All E.R. 618, C.A.

R. v. Olugboja [1982] Q.B. 320; [1981] 3 W.L.R. 585; [1981] 3 All E.R. 443; 73 Cr.App.R. 344, C.A. **Followed,** *R. v. Malone* [1998] 2 Cr.App.R. 447, C.A.

R. v. Osbourne [1973] Q.B. 678, 688; [1973] 2 W.L.R. 209; [1973] 1 All E.R. 649, C.A. **Dictum of Lawton L.J. applied,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

R. v. Oscar [1991] Crim.L.R. 778, C.A. **Considered,** *R. v. Popat* [1998] 2 Cr.App.R. 208, C.A.

R. v. Philips (1844) 1 Cox C.C. 17. **Doubted,** *Hurnam v. Paratian* [1998] A.C. 707; [1998] 2 W.L.R. 790, P.C.

R. v. Pommell [1995] 2 Cr.App.R. 607, C.A. **Considered,** *R. v. Rodger* [1998] 1 Cr.App.R. 143, C.A.

R. v. Popat [1998] 2 Cr.App.R. 208, C.A. **Applied,** *R. v. El-Hannachi* [1998] 2 Cr.App.R. 226, C.A.

R. v. Powell; R. v. English [1997] 3 W.L.R. 959; [1997] 4 All E.R. 545, H.L.(E.). **Considered,** *R. v. Uddin* [1998] 3 W.L.R. 1000, C.A.

R. v. Preddy [1996] A.C. 815; [1996] 3 W.L.R. 255; [1996] 3 All E.R. 481; [1996] 2 Cr.App.R. 524, H.L.(E.). **Applied,** *R. v. Horsman* [1998] Q.B. 531; [1998] 2 W.L.R. 468, C.A.

R. v. Price (1989) 90 Cr.App.R. 409, C.A. **Applied,** *R. v. Egan (Michael)* [1998] 1 Cr.App.R. 121, C.A.

R. v. Radio Authority, *Ex parte* Bull [1998] Q.B. 294; [1997] 3 W.L.R. 1094; [1997] 2 All E.R. 561, C.A. **Applied,** *R. v. Director-General of Water Services, Ex parte Oldham Metropolitan Borough Council* (1998) 96 L.G.R. 396

R. v. Rawlings (Practice Note) [1995] 1 W.L.R. 178; [1995] 1 All E.R. 580; [1995] 2 Cr.App.R. 222, C.A. **Applied,** *R. v. McQuiston* [1998] 1 Cr.App.R. 139, C.A. **Considered,** *L. and B. v. Director of Public Prosecutions* [1998] 2 Cr.App.R. 69, D.C.

R. v. Roberts (William) (1985) 84 Cr.App.R. 117, C.A. **Applied,** *R. v. Egan (Michael)* [1998] 1 Cr.App.R. 121, C.A.

R. v. Rogers [1979] 1 All E.R. 693; 69 Cr.App.R. 96. **Considered,** *R. v. Welsby* [1998] 1 Cr.App.R. 197

R. v. Rogers [1993] Crim.L.R. 386, C.A. **Considered,** *R. v. Popat* [1998] 2 Cr.App.R. 208, C.A.

R. v. Sang [1980] A.C. 402; [1979] 3 W.L.R. 263; [1979] 2 All E.R. 1222, H.L.(E.). **Applied,** *Thompson v. The Queen* [1998] A.C. 811; [1998] 2 W.L.R. 927, P.C.

R. v. Secretary of State for Employment, *Ex parte* Equal Opportunities Commission [1995] 1 A.C. 1; [1994] 2 W.L.R. 409; [1994] I.C.R. 317; [1994] 1 All E.R. 910, H.L.(E.). **Applied,** *Hammersmith and Fulham London Borough Council v. Jesuthasan* [1998] I.C.R. 640, C.A.

R. v. Secretary of State for Employment, *Ex parte* Seymour-Smith [1997] 1 W.L.R. 473; [1997] I.C.R. 371; [1997] 2 All E.R. 273, H.L.(E.). **Considered,** *Davidson v. City Electrical Factors Ltd.* [1998] I.C.R. 443, E.A.T.(Sc.)

R. v. Secretary of State for the Environment, *Ex parte* Bagshaw (1994) 68 P. & C.R. 402, 407, 409. **Dicta of Owen J. approved,** *R. v. Secretary of State for Wales, Ex parte Emery* [1998] 4 All E.R. 367; 96 L.G.R. 83, C.A.

R. v. Secretary of State for the Environment, *Ex parte* Knowsley Metropolitan Borough Council (unreported), 31 July 1991; Court of Appeal (Civil Division) Transcript No. 794 of 1991, C.A. **Applied,** *R. v. Secretary of State for the Environment, Ex parte Oldham Metropolitan Borough Council* [1998] I.C.R. 367

R. v. Secretary of State for the Environment, *Ex parte* Oswestry Borough Council (unreported), 21 December 1994, Harrison J. **Applied,** *R. v. Secretary of State for the Environment, Ex parte Oldham Metropolitan Borough Council* [1998] I.C.R. 367

R. v. Secretary of State for the Home Department, *Ex parte* Doody [1994] 1 A.C. 531, 564; [1993] 3 W.L.R. 154; [1993] 3 All E.R. 92, H.L.(E.). **Applied,** *R. v. Secretary of State for the Home Department, Ex parte McAvoy* [1998] 1 W.L.R. 790, C.A. **Dicta of Lord Mustill applied,** *Rey v. Government of Switzerland* [1998] 3 W.L.R. 1, P.C.

R. v. Secretary of State for the Home Department, *Ex parte* Francois [1997] 2 Cr.App.R.(S.) 359, D.C. **Decision of the Divisional Court of the Queen's Bench Division affirmed** [1998] 2 W.L.R. 530, H.L.(E.)

R. v. Secretary of State for the Home Department, *Ex parte* Gilmore [1998] 2 W.L.R. 618; [1998] 1 All E.R. 264, D.C. **Not followed,** *R. v. Bow Street Metropolitan Stipendiary Magistrate, Ex parte Government of the United States of America* [1998] 3 W.L.R. 1156, D.C.

R. v. Secretary of State for the Home Department, *Ex parte* Leech [1994] Q.B. 198; [1993] 3 W.L.R. 1125; [1993] 4 All E.R. 539, C.A. **Applied,** *R. v. Lord Chancellor, Ex parte Witham* [1998] Q.B. 575; [1998] 2 W.L.R. 849, D.C. **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Simms* [1998] 3 W.L.R. 1169, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Pierson [1998] A.C. 539; [1997] 3 W.L.R. 492; [1997] 3 All E.R. 577, H.L.(E.). **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Hindley* [1998] Q.B. 751; [1998] 2 W.L.R. 505, D.C.

R. v. Secretary of State for the Home Department, *Ex parte* Stafford [1998] 1 W.L.R. 503, C.A. **Decision of the Court of Appeal affirmed** [1998] 3 W.L.R. 372, H.L.(E.)

R. v. Secretary of State for Wales, *Ex parte* Emery [1996] 4 All E.R. 1. **Decision of Sir Louis Blom-Cooper Q.C. sitting as a deputy High Court judge affirmed on different grounds** [1998] 4 All E.R. 367; 96 L.G.R. 83, C.A.

R. v. Shah [1994] Crim.L.R. 125, C.A. **Distinguished,** *R. v. Nelson* [1998] 2 Cr.App.R. 399, C.A.

R. v. Shephard [1993] A.C. 380; [1993] 2 W.L.R. 102; [1993] 1 All E.R. 225; 96 Cr.App.R. 345, H.L.(E.). **Applied,** *R. v. Dean* [1998] 2 Cr.App.R. 171, C.A.

R. v. Shorrock [1994] Q.B. 279; [1993] 3 W.L.R. 698; [1993] 3 All E.R. 917; 98 Cr.App.R. 67, C.A. **Distinguished,** *R. v. Paine* [1998] 1 Cr.App.R. 36, Ct.-M.A.C.

R. v. Simpson (Calvin) [1983] 1 W.L.R. 1494; [1983] 3 All E.R. 789, C.A. **Applied,** *Director of Public Prosecutions v. Hynde* [1998] 1 W.L.R. 1222, D.C.

R. v. South Molton Justices, *Ex parte* Ankerson [1989] 1 W.L.R. 40; [1988] 3 All E.R. 989, D.C. **Considered,** *R. v. Lincoln Crown Court, Ex parte Jude* [1998] 1 W.L.R. 24, D.C.

R. v. Southwark Crown Court, *Ex parte* Bowles [1998] Q.B. 243; [1997] 2 W.L.R. 936; [1996] 4 All E.R. 961, D.C. **Decision of the Divisional Court of the Queen's Bench Division affirmed** [1998] A.C. 641; [1998] 2 W.L.R. 715, H.L.(E.)

R. v. Tullett [1976] 1 W.L.R. 241; [1976] 2 All E.R. 1032; 62 Cr.App.R. 225. **Not followed,** *R. v. Welsby* [1998] 1 Cr.App.R. 197

R. v. Turnbull [1977] Q.B. 224; [1976] 3 W.L.R. 445; [1976] 3 All E.R. 549, C.A. **Applied,** *Ricketts v. The Queen* [1998] 1 W.L.R. 1016, P.C.

R. v. Utting [1987] 1 W.L.R. 1375; 86 Cr.App.R. 164, C.A. **Distinguished,** *R. v. Ondhia (Chandriacant Vallabhji)* [1998] 2 Cr.App.R. 150, C.A.

R. v. Vickers [1975] 1 W.L.R. 811; [1975] 2 All E.R. 945, C.A. **Applied,** *R. v. Chalkley* [1998] Q.B. 848; [1998] 3 W.L.R. 146, C.A.

R. v. Wicks [1998] A.C. 92; [1997] 2 W.L.R. 876; [1997] 2 All E.R. 801, H.L.(E.). **Considered,** *Boddington v. British Transport Police* [1998] 2 W.L.R. 639, H.L.(E.). **Distinguished,** *Dilieto v. Ealing London Borough Council* [1998] 3 W.L.R. 1403, D.C.

R. v. Wilkinson [1996] 1 Cr.App.R. 81, C.A. **Considered,** *R. v. H. (Henry)* [1998] 2 Cr.App.R. 161, C.A.

R. v. Willer [1987] R.T.R. 22; 83 Cr.App.R. 225, C.A. **Considered,** *R. v. Rodger* [1998] 1 Cr.App.R. 143, C.A.

R. v. Williams [1923] 1 K.B. 340, C.C.A. **Distinguished,** *R. v. Richardson (Diane)* [1998] 3 W.L.R. 1292, C.A.

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Roberts v. Ramsbottom [1980] 1 W.L.R. 823, 832; [1980] 1 All E.R. 7. **Dictum of Neill J. disapproved,** *Mansfield v. Weetabix Ltd.* [1998] 1 W.L.R. 1263, C.A.

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Sargeant v. National Westminster Bank Plc. (1990) 61 P. & C.R. 518, C.A. **Applied,** *Edge v. Pensions Ombudsman* [1998] Ch. 512; [1998] 3 W.L.R. 466

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Swales v. Cox [1981] Q.B. 849, 854–855; [1981] 2 W.L.R. 814; [1981] 1 All E.R. 1115, D.C. **Dicta of Donaldson L.J. applied,** *O'Loughlin v. Chief Constable of Essex* [1998] 1 W.L.R. 374, C.A.

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Thai Trading Co. v. Taylor [1998] 2 W.L.R. 893; [1998] 3 All E.R. 65, C.A. **Applied,** *Bevan Ashford v. Geoff Yeandle (Contractors) Ltd.* [1998] 3 W.L.R. 172

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Thompson v. The Queen [1998] A.C. 811, 844; [1998] 2 W.L.R. 927, P.C. **Dictum of Lord Hutton distinguished,** *Barrow v. The State* [1998] A.C. 846; [1998] 2 W.L.R. 957, P.C.

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Underground Electric Railways Co. of London v. Inland Revenue Comrs. [1906] A.C. 21, H.L.(E.). **Applied,** *L.M. Tenancies 1 Plc. v. Inland Revenue Comrs.* [1998] 1 W.L.R. 1269, C.A.

Unilever Plc. v. Chefaro Proprietaries Ltd. [1994] F.S.R. 135, C.A. **Applied,** *Coin Controls Ltd. v. Suzo International (U.K.) Ltd.* [1998] 3 W.L.R. 420

United States of America (Government of the) v. Bowe [1990] 1 A.C. 500, 521; [1989] 3 W.L.R. 1256; [1989] 3 All E.R. 315, P.C. **Dictum of Lord Lowry applied,** *R. v. Secretary of State for the Home Department, Ex parte Gilmore* [1998] 2 W.L.R. 618, D.C.

Van Duyn v. Home Office (Case 41/74) [1975] Ch. 358; [1975] 2 W.L.R. 760; [1975] 3 All E.R. 190; [1974] E.C.R. 1337. **Applied,** *Bossa v. Nordstress Ltd.* [1998] I.C.R. 694, E.A.T.

Velos Group Ltd. v. Harbour Insurance Services Ltd. [1997] 2 Lloyd's Rep. 461. **Considered,** *Prentis Donegan & Partners Ltd. v. Leeds & Leeds Co. Inc.* [1998] 2 Lloyd's Rep. 326

Venezuela, The [1980] 1 Lloyd's Rep. 393. **Considered,** *Sunrise Maritime Inc. v. Uvisco Ltd.* [1998] 2 Lloyd's Rep. 287

Ventouris v. Mountain [1991] 1 W.L.R. 607; [1991] 3 All E.R. 472, C.A. **Applied,** *Secretary of State for Trade and Industry v. Baker* [1998] Ch. 356; [1998] 2 W.L.R. 667

Vernazza v. Barburriza & Co. Ltd. [1937] 4 All E.R. 364, C.A. **Considered,** *Forbes v. Smith* [1998] 1 All E.R. 973

Vervaeke (formerly Messina) v. Smith [1983] 1 A.C. 145; [1982] 2 W.L.R. 855; [1982] 2 All E.R. 144, H.L.(E.). **Applied,** *Westacre Investments Inc. v. Jugoimport-SPDR Holding Co. Ltd.* [1998] 3 W.L.R. 770

Vibroplant Ltd. v. Holland (1982) 54 T.C. 658, 666. **Dictum of Dillon J. distinguished,** *Bestway (Holdings) Ltd. v. Luff* (1998) 70 T.C. 512

Vita Food Products Inc. v. Unus Shipping Co. Ltd. [1939] A.C. 277; [1939] 1 All E.R. 513; 63 Ll.L. Rep. 21, P.C. **Considered,** *Akai Pty. Ltd. v. People's Insurance Co. Ltd.* [1998] 1 Lloyd's Rep. 90

Vodaphone Cellular Ltd. v. Shaw (1997) 69 T.C. 376, C.A. **Distinguished,** *Commercial Union Assurance Co. Plc. v. Shaw* (1998) T.C. Leaflet No. 3549

von Colson v. Land Nordrhein-Westfalen (Case 14/83) [1984] E.C.R. 1891, E.C.J. **Applied,** *Draehmpaehl v. Urania Immobilienservice o.h.G.* (Case C-180/95) [1998] I.C.R. 164, E.C.J.

Von Hellfeld v. E. Rechnitzer and Mayer Frères & Co. [1914] 1 Ch. 748, 755, C.A. **Dicta of Phillimore L.J. applied,** *Oxnard Financing S.A. v. Rahn* [1998] 1 W.L.R. 1465, C.A.

Vosnoc Ltd. v. Transglobal Projects Ltd. [1998] 1 W.L.R. 101; [1998] 2 All E.R. 990. **Considered,** *Cathiship S.A. v. Allanasons Ltd.* [1998] 3 All E.R. 714

W. (A Minor) (Medical Treatment: Court's Jurisdiction), *In re* [1993] Fam. 64; [1992] 3 W.L.R. 758; [1992] 4 All E.R. 627, C.A. **Applied,** *In re R. (A Minor) (Blood Tests: Constraint)* [1998] Fam. 66; [1998] 2 W.L.R. 796

W. v. Essex County Council [1997] 2 F.L.R. 535, C.A. **Decision of Hooper J. affirmed** [1998] 3 W.L.R. 534, C.A.

Walker v. Josiah Wedgwood & Sons Ltd. [1978] I.C.R. 744, E.A.T. **Followed,** *Holland v. Glendale Industries Ltd.* [1998] I.C.R. 493, E.A.T.

Walker v. Lovell [1975] 1 W.L.R. 1141; [1975] 3 All E.R. 107; [1975] R.T.R. 377, H.L.(E.). **Not applied,** *Director of Public Prosecutions v. Heywood* [1998] R.T.R. 1, D.C.

Walker v. The Queen [1994] 2 A.C. 36, 44; [1993] 3 W.L.R. 1017; [1993] 4 All E.R. 789, P.C. **Dictum of Lord Griffiths applied,** *De Morgan v. Director-General of Social Welfare* [1998] A.C. 275; [1998] 2 W.L.R. 427, P.C.

Wallersteiner v. Moir (No. 2) [1975] Q.B. 373; [1975] 2 W.L.R. 389; [1975] 1 All E.R. 849, C.A. **Applied,** *R. v. Chester and North Wales Legal Aid Area Office (No. 12), Ex parte Floods of Queensferry Ltd.* [1998] 1 W.L.R. 1496, C.A.

Wandsworth London Borough Council v. Singh (1991) 89 L.G.R. 737, C.A. **Considered,** *Bacchiocchi v. Academic Agency Ltd.* [1998] 1 W.L.R. 1313, C.A.

Waple v. Surrey County Council [1997] 2 All E.R. 836. **Decision of French J. reversed** [1998] 1 W.L.R. 860, C.A.

Wase v. Bourke (1995) 68 T.C. 109. **Considered,** *Barrett v. Powell* (1998) 70 T.C. 432

Watkins v. Toms (Note) [1998] 1 W.L.R. 1376; [1998] 2 All E.R. 534, C.A. **Considered,** *Limb v. Union Jack Removals Ltd.* [1998] 1 W.L.R. 1354, C.A.

Watson v. M'Ewan [1905] A.C. 480, H.L.(Sc.). **Considered,** *Waple v. Surrey County Council* [1998] 1 W.L.R. 860, C.A.

Waugh v. British Railways Board [1980] A.C. 521; [1979] 3 W.L.R. 150; [1979] 2 All E.R. 1169, H.L.(E.). **Applied,** *Secretary of State for Trade and Industry v. Baker* [1998] 2 W.L.R. 667

Wayling v. Jones (1993) 69 P. & C.R. 170, C.A. **Considered,** *Gillett v. Holt* [1998] 3 All E.R. 917

Webb v. Emo Air Cargo (U.K.) Ltd. (Case C-32/93) [1994] Q.B. 718; [1994] 3 W.L.R. 941; [1994] I.C.R. 770; [1994] 4 All E.R. 115; [1994] E.C.R. I-3567, E.C.J. **Considered,** *Brown v. Rentokil Ltd.* (Case C-394/96) [1998] I.C.R. 790, E.C.J.

Wells v. Wells [1997] 1 W.L.R. 652; [1997] 1 All E.R. 673, C.A. **Decision of the Court of Appeal reversed** [1998] 3 W.L.R. 329, H.L.(E.)

Welply v. Buhl (1878) 3 Q.B.D. 80. **Considered,** *Kings Quality Homes Ltd. v. A.J. Paints Ltd.* [1998] 1 W.L.R. 124, C.A.

Welply v. Buhl (1878) 3 Q.B.D. 253, C.A. **Applied,** *Bannister v. S.G.B. Plc.* [1998] 1 W.L.R. 1123, C.A.

Welton v. North Cornwall District Council [1997] 1 W.L.R. 570, C.A. **Distinguished,** *Harris v. Evans* [1998] 1 W.L.R. 1285, C.A.

West Dunbartonshire Council v. Wallace, 1997 S.L.T. 315. **Decision of the Second Division of the Court of Session affirmed** [1998] 1 W.L.R. 259, H.L.(Sc.)

West Middlesex Golf Club Ltd. v. Ealing London Borough Council (1994) 68 P. & C.R. 461. **Considered,** *Stretch v. West Dorset District Council* (1997) 96 L.G.R. 637, C.A.

West Riding County Council v. Huddersfield Corpn. [1957] 1 Q.B. 540; [1957] 2 W.L.R. 428; [1957] 1 All E.R. 669. **Applied,** *Hillingdon London Borough Council v. A.R.C. Ltd.* [1998] 3 W.L.R. 754, C.A.

Westacre Investments Inc. v. Jugoimport-SPDR Holding Co. Ltd. [1998] 3 W.L.R. 770. **Considered,** *Soleimany v. Soleimany* [1998] 3 W.L.R. 811, C.A.

Westdeutsche Landesbank Girozentrale v. Islington London Borough Council [1994] 1 W.L.R 938; [1994] 4 All E.R. 890, C.A. **Applied,** *Guinness Mahon & Co. Ltd. v. Kensington and Chelsea Royal London Borough Council* [1998] 3 W.L.R. 829, C.A.

Westdeutsche Landesbank Girozentrale v. Islington Borough Council [1996] A.C. 669; [1996] 2 W.L.R. 802; [1996] 2 All E.R. 961, H.L.(E.). **Not followed,** *I.M. Properties Plc. v. Cape & Dalgleish* [1998] 1 W.L.R. 457, C.A.

Westminster City Council v. Zestfair Ltd. (1989) 88 L.G.R. 288, D.C. **Applied,** *McCool v. Rushcliffe Borough Council* [1998] 3 All E.R. 889, D.C.

Westwood v. Bell (1815) 4 Camp. 349. **Applied,** *Eide U.K. Ltd. v. Lowndes Lambert Group Ltd.* [1998] 3 W.L.R. 643, C.A.

Whiteley v. Wilson [1953] 1 Q.B. 77, 85; [1952] 2 All E.R. 940, C.A. **Dicta of Romer L.J. applied,** *Wellcome Trust Ltd. v. Hamad* [1998] Q.B. 638; [1998] 2 W.L.R. 156, C.A.

Whittal v. Kirby [1947] K.B. 194; [1946] 2 All E.R. 552, D.C. **Applied,** *Director of Public Prosecutions v. Bristow* [1998] R.T.R. 100, D.C.

Wickman Machine Tool Sales Ltd. v. L. Schuler A.G. [1974] A.C. 235; [1973] 2 W.L.R. 683; [1973] 2 All E.R. 39; [1973] 2 Lloyd's Rep. 53, H.L.(E.). **Considered,** *Total Gas Marketing Ltd. v. Arco British Ltd.* [1998] 2 Lloyd's Rep. 209, H.L.(E.)

Wilcock v. Eve (1994) 67 T.C. 223. **Considered,** *E.M.I. Group Electronics Ltd. v. Coldicott* (1997) T.C. Leaflet No. 3536

Williams v. Globe Coaches [1996] 1 W.L.R. 553, C.A. **Applied,** *Bannister v. S.G.B. Plc.* [1998] 1 W.L.R. 1123, C.A.

Williams v. Natural Life Health Foods Ltd. [1997] 1 B.C.L.C. 131, C.A. **Decision of the Court of Appeal reversed** [1998] 1 W.L.R. 830, H.L.(E.)

Wilson v. St. Helens Borough Council [1998] I.C.R. 387, C.A. **Decision of the Court of Appeal affirmed** [1998] 3 W.L.R. 1070; [1998] I.C.R. 1141, H.L.(E.)

Wilson v. St. Helens Borough Council [1998] I.C.R. 387, C.A. **Considered,** *Cornwall County Care Ltd. v. Brightman* [1998] I.C.R. 529, E.A.T.

Wi Matua's Will, *In re* [1908] A.C. 448, P.C. **Not followed,** *De Morgan v. Director-General of Social Welfare* [1998] A.C. 275; [1998] 2 W.L.R. 427, P.C.

Wiseman v. Borneman [1971] A.C. 297, 308; [1969] 3 W.L.R. 706; [1969] 3 All E.R. 275, H.L.(E.). **Dictum of Lord Reid applied,** *Century National Merchant Bank and Trust Co. Ltd. v. Davies* [1998] A.C. 628; [1998] 2 W.L.R. 779, P.C.

Wood v. York City Council [1978] I.C.R. 840, C.A. **Applied,** *Carrington v. Harwich Dock Co. Ltd.* [1998] I.C.R. 1112, E.A.T.

Wraith v. Sheffield Forgemasters Ltd. [1996] 1 W.L.R. 617; [1996] 2 All E.R. 527. **Decision of Potter J. reversed** [1998] 1 W.L.R. 132, C.A.

Wraith v. Wraith [1997] 1 W.L.R. 1540; [1997] 2 All E.R. 526, C.A. **Considered,** *Ager v. Ager* [1998] 1 W.L.R. 1074, C.A.

Wychavon District Council v. National Rivers Authority [1993] 1 W.L.R. 125; [1993] 2 All E.R. 440, D.C. **Disapproved,** *Environment Agency (formerly National Rivers Authority) v. Empress Car Co. (Abertillery) Ltd.* [1998] 2 W.L.R. 350, H.L.(E.)

X (Minors) v. Bedfordshire County Council [1995] 2 A.C. 633; [1995] 3 W.L.R. 152; [1995] 3 All E.R. 353; 94 L.G.R. 313, H.L.(E.). **Applied,** *Clunis v. Camden and Islington Health Authority* [1998] Q.B. 978; [1998] 2 W.L.R. 902, C.A.; *Harris v. Evans* [1998] 1 W.L.R. 1285, C.A **Considered,** *Phelps v. Hillingdon London Borough Council* (1997) 96 L.G.R. 1; *W. v. Essex County Council* [1998] 3 W.L.R. 534, C.A.

X Ltd. v. Morgan-Grampian (Publishers) Ltd. [1991] 1 A.C. 1; [1990] 2 W.L.R. 1000; [1990] 2 All E.R. 1, H.L.(E.). **Applied,** *Saunders v. Punch Ltd.* [1998] 1 W.L.R. 986. **Considered,** *Camelot Group Plc. v. Centaur Communications Ltd.* [1998] 2 W.L.R. 379, C.A.

Yasin, The [1979] 2 Lloyd's Rep. 45. **Distinguished,** *Bristol and West Building Society v. May May & Merrimans (No. 2)* [1998] 1 W.L.R. 336

Yew Bon Tew v. Kenderaan Bas Mara [1983] 1 A.C. 553; [1982] 3 W.L.R. 1026; [1982] 3 All E.R. 833, P.C. **Applied,** *Marsal v. Apong* [1998] 1 W.L.R. 674, P.C.; *The Guiseppe di Vittorio (No. 2)* [1998] 1 Lloyd's Rep. 661

Yorkshire Woolcombers Association Ltd.; *In re*; Houldsworth v. Yorkshire Woolcombers Association Ltd. [1903] 2 Ch. 284, C.A. **Applied,** *In re Cosslett (Contractors) Ltd.* [1998] Ch. 495; [1998] 2 W.L.R. 131, C.A.

Zambia Steel & Building Supplies Ltd. v. James Clark and Eaton Ltd. [1986] 2 Lloyd's Rep. 225, C.A. **Applied,** *Abdullah M. Fahem & Co. v. Mareb Yemen Insurance Co.* [1997] 2 Lloyd's Rep. 738

STATUTES JUDICIALLY CONSIDERED

1361 **Justices of the Peace Act** (34 Edw. 3, c. 1)
Reg. v. Clerkenwell Metropolitan Stipendiary Magistrate, *Ex parte* Hooper [1998] 1 W.L.R. 800, D.C.

1855 **Bills of Lading Act** (18 & 19 Vict. c. 111)
s. 1: Effort Shipping Co. Ltd. v. Linden Management S.A. [1998] A.C. 605; [1998] 2 W.L.R. 206, H.L.(E.)

1861 **Offences against the Person Act** (24 & 25 Vict. c. 100)
s. 47: Reg. v. Richardson (Diane) [1998] 3 W.L.R. 1292, C.A.

1870 **Extradition Act** (33 & 34 Vict. c. 52)
Sch. 1 (as amended): Reg. v. Secretary of State for the Home Department, *Ex parte* Gilmore [1998] 2 W.L.R. 618, D.C.

1890 **Partnership Act** (53 & 54 Vict. c. 39)
s. 1(1): Khan v. Miah [1998] 1 W.L.R. 477, C.A.

1891 **Stamp Act** (54 & 55 Vict. c. 39)
Sch. 1: L.M. Tenancies 1 Plc. v. Inland Revenue Comrs. [1998] 1 W.L.R. 1269, C.A.

1906 **Open Spaces Act** (6 Edw. 7, c. 25)
ss. 10, 11(5): *In re* West Norwood Cemetery (No. 2) [1998] Fam. 84; [1998] 3 W.L.R. 128

Marine Insurance Act (6 Edw. 7, c. 41)
ss. 41, 78(1), Sch. 1: Royal Boskalis Westminster N.V. v. Mountain [1998] 2 W.L.R. 538, C.A.
s. 53(2): Eide U.K. Ltd. v. Lowndes Lambert Group Ltd. [1998] 3 W.L.R. 643, C.A.

1914 **Bankruptcy Act** (4 & 5 Geo. 5, c. 59)
s. 22(3)(4): Christofi v. Barclays Bank Plc. [1998] 1 W.L.R. 1245

1925 **Law of Property Act** (15 & 16 Geo. 5, c. 20)
s. 193(1): Reg. v. Secretary of State for the Environment, *Ex parte* Billson [1998] 3 W.L.R. 1240

Administration of Estates Act (15 & 16 Geo. 5, c. 23)
s. 41: Kane v. Radley-Kane [1998] 3 W.L.R. 617

1933 **Children and Young Persons Act** (23 & 24 Geo. 5, c. 12)
s. 53(2)(3) (as amended): Reg. v. A.M. [1998] 1 W.L.R. 363, C.A.

1952 **Prison Act** (c. 52)
s. 47(1): Reg. v. Secretary of State for the Home Department, *Ex parte* Simms [1998] 3 W.L.R. 1169, C.A.

1954 **Landlord and Tenant Act** (2 & 3 Eliz. 2, c. 56)
s. 26(2): Garston v. Scottish Widows' Fund and Life Assurance Society [1998] 1 W.L.R. 1583, C.A.
s. 37 (as amended), s. 38(2): Bacchiocchi v. Academic Agency Ltd. [1998] 1 W.L.R. 1313, C.A.

1955 **Army Act** (3 & 4 Eliz. 2, c. 18)
s. 77A (as inserted): Reg. v. Martin (Alan) [1998] A.C. 917; [1998] 2 W.L.R. 1, H.L.(E.)

1957 **Occupiers' Liability Act** (5 & 6 Eliz. 2, c. 31)
s. 2(2)(3)(*a*): Jolley v. Sutton London Borough Council [1998] 1 W.L.R. 1546, C.A.

1960 **Administration of Justice Act** (8 & 9 Eliz. 2, c. 65)
s. 12: Hodgson v. Imperial Tobacco Ltd. [1998] 1 W.L.R. 1056, C.A.

1962 **Transport Act** (c. 46)
s. 67 (as amended): Boddington v. British Transport Police [1998] 2 W.L.R. 639, H.L.(E.)

1964 **Licensing Act** (c. 26)
ss. 76(2), 78A, 81A (as amended): Reg. v. Stafford Crown Court, *Ex parte* Shipley [1998] 1 W.L.R. 1438, C.A.

Diplomatic Privileges Act (c. 81)
s. 2(1), Sch. 1, arts. 29, 31, 39: Reg. v. Bow Street Metropolitan Stipendiary Magistrate, *Ex parte* Pinochet Ugarte [1998] 3 W.L.R. 1456, H.L.(E.)

1965 **Compulsory Purchase Act** (c. 56)
s. 10: Wildtree Hotels Ltd. v. Harrow London Borough Council [1998] 3 W.L.R. 1318, C.A.
s. 11: Hillingdon London Borough Council v. A.R.C. Ltd. [1998] 1 W.L.R. 174; [1998] 3 W.L.R. 754, C.A.

1967 **Criminal Justice Act** (c. 80)
s. 67(4): Reg. v. Secretary of State for the Home Department, *Ex parte* Probyn [1998] 1 W.L.R. 809, D.C. and C.A.

1968 **Criminal Appeal Act** (c. 19)
s. 2(1) (as substituted): Reg. v. Chalkley [1998] Q.B. 848; [1998] 3 W.L.R. 146, C.A.
s. 3: Reg. v. Horsman [1998] Q.B. 531; [1998] 2 W.L.R. 468, C.A.

Gaming Act (c. 65)
s. 34(3)(8): Reg. v. Burt & Adams Ltd. [1998] 2 W.L.R. 725, H.L.(E.)

Justices of the Peace Act (c. 69)
s. 1(7): Reg. v. Lincoln Crown Court, *Ex parte* Jude [1998] 1 W.L.R. 24, D.C.

1969 **Family Law Reform Act** (c. 46)
ss. 20, 21: *In re* R. (A Minor) (Blood Tests: Constraint) [1998] Fam. 66; [1998] 2 W.L.R. 796

1970 **Equal Pay Act** (c. 41)
s. 1(3) (as substituted): Strathclyde Regional Council v. Wallace [1998] 1 W.L.R. 259; [1998] I.C.R. 205, H.L.(Sc.)
s. 2(4)(5) (as amended and modified): Preston v. Wolverhampton Healthcare N.H.S. Trust [1998] 1 W.L.R. 280; [1998] I.C.R. 227, H.L.(E.)

1971 **Criminal Damage Act** (c. 48)
ss. 1(1), 5(2)(*b*): Chamberlain v. Lindon [1998] 1 W.L.R. 1252, D.C.

1973 **Matrimonial Causes Act** (c. 18)
ss. 24, 37(2)(*b*): Newlon Housing Trust v. Alsulaimen [1998] 3 W.L.R. 451, H.L.(E.)
s. 33A (as inserted): Kelley v. Corston [1998] Q.B. 686; [1998] 3 W.L.R. 246, C.A.
Domicile and Matrimonial Proceedings Act (c. 45)
Sch. 1, para. 9(1)(2): Butler v. Butler [1998] 1 W.L.R. 1208, C.A.

1974 **Health and Safety at Work etc. Act** (c. 37)
ss. 21, 22: Harris v. Evans [1998] 1 W.L.R. 1285, C.A.
Solicitors Act (c. 47)
s. 60(3): General of Berne Insurance Co. v. Jardine Reinsurance Management Ltd. [1998] 1 W.L.R. 1231, C.A.
Rehabilitation of Offenders Act (c. 53)
ss. 1(1), 4, 7(2) (as amended): Lincolnshire County Council v. R.-J. [1998] 1 W.L.R. 1679

1975 **Social Security Pensions Act** (c. 60)
Sch. 1A, paras. 15(3)(*c*), 16(3)(5) (as inserted): Law Debenture Trust Corpn. Plc. v. Pensions Ombudsman [1998] 1 W.L.R. 1329
Sex Discrimination Act (c. 65)
ss. 1(1)(*a*), 6(2)(*b*): Caledonia Bureau Investment & Property v. Caffrey [1998] I.C.R. 603, E.A.T.(Sc.)
ss. 1(1)(*a*), 6(2)(*b*), 41(1), 76(5): Chessington World of Adventures Ltd. v. Reed [1998] I.C.R. 97, E.A.T.
ss. 63(1), 76(1)(6): Cast v. Croydon College [1998] I.C.R. 77, E.A.T.; [1998] I.C.R. 500, C.A.
s. 65: Hall v. Woolston Hall Leisure Ltd. [1998] I.C.R. 651, E.A.T.
s. 76(1)(5): Director of Public Prosecutions v. Marshall [1998] I.C.R. 518, E.A.T.

1976 **Fair Employment (Northern Ireland) Act** (c. 25)
ss. 17, 23, 57(1): Kelly v. Northern Ireland Housing Executive [1998] 3 W.L.R. 735; [1998] I.C.R. 828, H.L.(N.I.)
Restrictive Trade Practices Act (c. 34)
ss. 4, 10: *In re* Net Book Agreement 1957 (No. 3) [1998] I.C.R. 741, R.P.Ct. (E. & W.)
In re Net Book Agreement 1957 (No. 4) [1998] I.C.R. 753, R.P.Ct. (E. & W.)
Sch. 3, para. 2: Dale Farm Dairy Group Ltd. v. Akram [1998] I.C.R. 349, C.A.
Resale Prices Act (c. 53)
ss. 14, 17: *In re* Net Book Agreement 1957 (No. 3) [1998] I.C.R. 741, R.P.Ct. (E. & W.)
In re Net Book Agreement 1957 (No. 4) [1998] I.C.R. 753, R.P.Ct. (E. & W.)
Bail Act (c. 63)
s. 7(3)(4)(5) (as amended): Reg. v. Governor of Glen Parva Young Offender Institution, *Ex parte* G. (A Minor) [1998] Q.B. 877; [1998] 3 W.L.R. 13, D.C.
Race Relations Act (c. 74)
ss. 1(1), 4(1)(*c*), 8(1): Bossa v. Nordstress Ltd. [1998] I.C.R. 694, E.A.T.
s. 1(1), 32(3): Marks & Spencer Plc. v. Martins [1998] I.C.R. 1005, C.A.
ss. 1(1)(*a*), 4(2)(*c*): Weathersfield Ltd. v. Sargent [1998] I.C.R. 198, E.A.T.
s. 7: Harrods Ltd. v. Remick [1998] I.C.R. 156, C.A.
ss. 7, 78(1): C. J. O'Shea Construction Ltd. v. Bassi [1998] I.C.R. 1130, E.A.T.
s. 12: Tattari v. Private Patients Plan Ltd. [1998] I.C.R. 106, C.A.
ss. 12(1), 68: Rovenska v. General Medical Council [1998] I.C.R. 85, C.A.

1977 **Rent Act** (c. 42)
ss. 24(3), 137(3): Wellcome Trust Ltd. v. Hamad [1998] Q.B. 638; [1998] 2 W.L.R. 156, C.A.
Sch. 1, paras. 2(2), 3(1) (as amended): Fitzpatrick v. Sterling Housing Association Ltd. [1998] Ch. 304; [1998] 2 W.L.R. 225, C.A.
Protection from Eviction Act (c. 43)
s. 5 (as amended): National Trust for Places of Historic Interest or Natural Beauty v. Knipe [1998] 1 W.L.R. 230, C.A.

1978 **Interpretation Act** (c. 30)
Sch. 1: M. v. Vincent [1998] I.C.R. 73, E.A.T.
State Immunity Act (c. 33)
ss. 1(1), 14(1), 20(1): Reg. v. Bow Street Metropolitan Stipendiary Magistrate, *Ex parte* Pinochet Ugarte [1998] 3 W.L.R. 1456, H.L.(E.)
s. 2: Malaysian Industrial Development Authority v. Jeyasingham [1998] I.C.R. 307, E.A.T.
Protection of Children Act (c. 37)
ss. 1(1)(*c*), 2(3) (as amended): Reg. v. Land [1998] 3 W.L.R. 322, C.A.

1978 Employment Protection (Consolidation) Act (c. 44)
ss. 1(1) (as amended), 11: Carmichael v. National Power Plc. [1998] I.C.R. 1167, C.A.
s. 42(1), 56 (as substituted): Kwik Save Stores Ltd. v. Greaves [1998] I.C.R. 848, C.A.
s. 57: Parkinson v. March Consulting Ltd. [1998] I.C.R. 276, C.A.
s. 57A (as inserted): Goodwin v. Cabletel U.K. Ltd. [1998] I.C.R. 112, E.A.T.
s. 64(1)(*a*) (as amended): Thomas v. National Training Partnership Ltd. [1998] I.C.R. 436, E.A.T.
s. 74(1)(7): Digital Equipment Co. Ltd. v. Clements (No. 2) [1998] I.C.R. 258, C.A.
s. 81(2): High Table Ltd. v. Horst [1998] I.C.R. 409, C.A.
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1980 Magistrates' Courts Act (c. 43)
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s. 32(1)(*c*): Kleinwort Benson Ltd. v. Lincoln City Council [1998] 3 W.L.R. 1095, H.L.(E.)
s. 34(3): Vosnoc Ltd. v. Transglobal Projects Ltd. [1998] 1 W.L.R. 101

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ss. 4 (*aaaa*), 19B(2)(*a*) (as inserted): Reg. v. Secretary of State for the Environment, *Ex parte* Oldham Metropolitan Borough Council [1998] I.C.R. 367

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s. 31: Reg. v. Secretary of State for the Environment, *Ex parte* Billson [1998] 3 W.L.R. 1240

1981 Contempt of Court Act (c. 49)
s. 10: Camelot Group Plc. v. Centaur Communications Ltd. [1998] 2 W.L.R. 379, C.A.
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s. 51(1) (as substituted): T. G. A. Chapman Ltd. v. Christopher [1998] 1 W.L.R. 12, C.A.
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1982 Civil Jurisdiction and Judgments Act (c. 27)
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Taking of Hostages Act (c. 28)
s. 1(1): Reg. v. Bow Street Metropolitan Stipendiary Magistrate, *Ex parte* Pinochet Ugarte [1998] 3 W.L.R. 1456, H.L.(E.)

1982 **Aviation Security Act** (c. 36)
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s. 1B (as inserted and as amended): Reg. v. A.M. [1998] 1 W.L.R. 363, C.A.
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1983 **Matrimonial Homes Act** (c. 19)
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s. 22: Reg. v. Stratford Youth Court, *Ex parte* S. (A Minor) [1998] 1 W.L.R. 1758, D.C.
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